

**NEBRASKA STATE FIRE MARSHAL
Fire Incident Report**

CASE INFORMATION

Deputy: Stephen Lucas	Assigned By: Jack Malicky	Case No: 110088	Case Status: Open
Address: 6 th & Pierce		City: Omaha	State: NE Zip:
County: Douglas	Occupancy Type: Other	Date of Incident: 2-14-11	Time of Incident: 1630
Date of Request:	Time of Request:	Date of Arrival: 2-15-11	Time of Arrival: 1200
Case Subject: natural gas leak with no ignition.		Total Loss: \$	Requesting Agency:
Requesting Person:	Responding Fire Dept: Omaha Fire Dept.	Official Spoken With:	

FIRE DETAILS

Cause:	Area of Origin:
Heat Source:	Item First Ignited: Lightning:
Weather Conditions:	Wind Speed: Wind Direction: Temperature: Humidity:
Incendiary Container:	Ignition Device: Fuel:

STRUCTURE INFORMATION

Structure Type:	Building Status:	Construction Type:
Extent of Damage:	Smoke Detector:	Heat Detector:
Gas Detector:	Flame Detector:	Automatic Sprinkler Alarm:
Automatic Sprinkler:	Number of Floors:	Dimensions: Structure Name:
Suspected Meth Lab: <input type="checkbox"/> Yes <input type="checkbox"/> No	Utilities: <input type="checkbox"/> Electrical <input type="checkbox"/> Water <input type="checkbox"/> Gas	

VEHICLE INFORMATION

Type of Vehicle:	VIN:	Plate:	State Issued:	Make:
Model:	Year:	Area of Origin:	Vehicle Status:	

INSURANCE INFORMATION

Company:	Address:	City:
State:	Zip:	Policy No: Claim No: Owner <input type="checkbox"/> Occupant <input type="checkbox"/>
Date Issued:	Date Expired:	Property Amount: \$ Contents Amount: \$
Property Loss: \$	Contents Loss: \$	
Company:	Address:	City:
State:	Zip:	Policy No: Claim No: Owner <input type="checkbox"/> Occupant <input type="checkbox"/>
Date Issued:	Date Expired:	Property Amount: \$ Contents Amount: \$
Property Loss: \$	Contents Loss: \$	

PEOPLE IN THE CASE

Name: Jeff Loll	Relation to Case: Director Engineering Services for Metropolitan Utilities District	Juvenile: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Address (if applicable) :	City:	State: Zip:
Name: Edward Buglewicz	Relation to Case: Superintendent Field Services Metropolitan Utilities District	Juvenile: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Address (if applicable) :	City:	State: Zip:
Name:	Relation to Case:	Juvenile: <input type="checkbox"/> Yes <input type="checkbox"/> No
Address (if applicable) :	City:	State: Zip:
Name:	Relation to Case:	Juvenile: <input type="checkbox"/> Yes <input type="checkbox"/> No
Address (if applicable) :	City:	State: Zip:

NEBRASKA STATE FIRE MARSHAL
Fire Incident Report

Deputy: Stephen Lucas

Signature: Stephen Lucas

Date: 3-4-11

NEBRASKA STATE FIRE MARSHAL
246 S. 14th Street
Lincoln, NE 68508

INVESTIGATIVE REPORT

Case Number: 110088

Date of Report: 3-14-2011

Date of Incident: 2-14-11

BODY OF REPORT

Persons interviewed:

Person	Title	Phone
Ed Buglewicz	MUD Field Services Superintendent	(402) 504-0811
Matt Clark	Homeowner	(262) 853-1910
Jack Griffey	MUD Construction Utility Worker	
Jeff Loll	MUD Engineering Services Director	(402) 504-7903

Body of Report:

On January 14, 2011 at 1548 hours the Douglas County 911 Center received a call from a person calling from (402) 208-6997 who said they smelled gas at the corner of Sixth Street and Pierce Street. Omaha Fire Department and the Metropolitan Utilities District Field Services were dispatched by the Douglas County 911 Center. When Omaha Fire Department and the Metropolitan Utilities District arrived on the scene Field Services detected 4% natural gas in the atmosphere of the office at 601 Pierce Street and took readings of forty and sixty percent natural gas in the sewer man hole covers at the intersection of Sixth and Pierce streets. Acting on this information Omaha Fire Department Firefighters and Metropolitan Utilities District Field Services Personnel ordered and executed an evacuation of the area on 6th Street from Pacific to Hickory Streets. The evacuation area was subsequently reduced to the area on Sixth Street between Pierce Street and Poppleton Avenue. While on scene Metropolitan Utilities District Field Services Personnel determined that there was a grade one leak, removed manhole covers to ventilate the sewers, and called in a Metropolitan Utilities District construction crew to repair the natural gas leak. The Metropolitan Utilities District Construction Crew attempted to cut the flow of natural gas to the scene by cutting and capping a dead end four inch low pressure cast iron line running under Sixth Street a half a block south of Pierce Street and cutting and capping a dead end eight inch low pressure cast iron main on the south side of Pierce Street a half a block east of the corner of Sixth Street and Pierce Street.

The next morning Metropolitan Utilities District Field Services Personnel followed up on the leak repair and found indications that natural gas persisted in the sewers and ground in the area of Sixth and Pierce Streets. A Metropolitan Utilities District Construction crew excavated a four inch high pressure (ten pounds pressure per square inch) cast iron natural gas line at a point where a twelve inch sewer line crossed over the top of the natural gas line. After digging through three to three and a half feet of frozen ground the construction crew found a gas leak resulting from a transverse crack in the high pressure cast iron main directly under a sewer line crossing. A brick was found on top of the gas line that appeared to have been intended as a spacer between the natural gas line and the sewer line. It appears likely that that the natural force of the frost cap pressing down on the sewer pipe caused a transverse crack to propagate in the cast iron natural gas main.

I interviewed residents of the neighborhood and all the residents had smelled gas in the area of Sixth and Pierce Street on February fourteenth and some indicated they had smelled gas for some time earlier. Matt Clark stated that he had smelled gas and called the Emergency Number late Saturday night February 12 and the person receiving the call made a short response and hung up.

Ed Buglewicz Supplied records outlining activities Metropolitan Utilities District Field services technicians Mark Schendt, Scott Kaluza, Laurie Culjat performed at the incident scene. Operator Qualification records provided by Ed Buglewicz indicate that Mark Schendt, Scott Kaluza, Laurie Culjat were qualified to perform the covered tasks that they performed that day.

Jeff Loll supplied Operator Qualification records for Jerry Stovie who controlled the construction scene on February 14 and Jack Griffey who controlled the construction scene February 15. Operator Qualification records indicated Jerry Stovie and Jack Griffey were qualified to repair leaks during the interim of this incident.

Timeline:

February 12, 2011

2358 hours

Matt Clark called the Metropolitan Utilities District's Emergency Number notifying the District that he smelled gas outside in the area of Sixth and Pierce Streets.

February 14, 2011

1548 hours

Douglas County 911 center notified of gas leak at Sixth and Pierce Streets.

1549 hours

Omaha Fire Department Dispatched

1551 hours

Metropolitan Utilities District notified of gas leak by the Douglas County 911 center

1553 hours

First Omaha Fire Department arrives on scene

1611 hours

MUD Field Services Technician arrives at scene

1630 hours

MUD Field Services Dispatcher notifies Nebraska State Fire Marshal Fuels Division

1706 hours

Area on Sixth Street from Pacific Street to Hickory Street evacuated

1744 hours

Evacuation area reduced to Sixth Street between Pierce Street and Poppleton Avenue.

1813 hours

Fire Department leaves scene and remainder of evacuees return to their homes on Sixth Street.

2018 hours

MUD Field Services Technician departs scene

February 15, 2011

0600 hours MUD Field Services Technicians return to scene
1230 hours MUD construction crew repairs leak

CONCLUSION

t the case of this gas leak and evacuation it appears Metropolitan Utilities District did not fulfilled the requirements of CFR49 Part 192.605 by responding to a report of an odor of gas on February 12, 2011, as per their Gas Emergency Procedure No. 605 section C 2 Leak Report During Other Than Normal Working Hours. A Notice of Violation of Pipeline Safety Regulations will be issued.

END OF REPORT

Deputy: 8715	Signature: Stephen Lucas	Date: 3-14-2011
Office Address: 246 South 14 th Street		Office Phone Number: (402) 471-9465

STATE OF NEBRASKA



Dave Heineman
Governor



STATE FIRE MARSHAL
John Falgione
Fire Marshal

Notice of Probable Violation

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 15, 2011

Jeffrey G. Loll P.E.
Director of Engineering Design
Metropolitan Utilities District
3100 South 61st Avenue
Omaha, NE 68106-3621

RE: Incident Investigation - #20110315-N

Pursuant to the Nebraska Natural Gas Pipeline Safety Act of 1969, a representative of the Nebraska State Fire Marshal's Office Pipeline Safety Section conducted an investigation of The Metropolitan Utilities District response to the February 14, 2011 incident at the intersection of Sixth and Pierce Streets in Omaha. As a result of this investigation it appears that you have committed a probable violation of Title 155 Nebraska Administrative Code Chapter 1.001 adopting by reference Pipeline Safety Regulations Title 49, Code of Federal Regulations, Part 191, 192, 199, & 40.

The following details the specific findings of the investigation as they relate to the probable violation. Item in blue is the Part 192 reference followed in black by our finding.

§ 192.605 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response...

On February 12, 2011 a call was made to The Metropolitan Utilities District emergency number at Field Services Dispatch Center to report the smell of natural gas outside a building at the corner of Sixth and Pierce Streets in Omaha, Nebraska. There was no response to that notification of a natural gas leak at the Metropolitan Utilities District Field Services Dispatch Center until a call was made by the Douglas County 911 Center February 14, 2011. It appears that The Metropolitan Utilities District *Gas Emergency Procedure No. 605 section C 2 Leak Report During Other Than Normal Working Hours* was not followed and that failure

□ MAIN OFFICE

□ DISTRICT A
246 South 14th Street
Lincoln, NE 68508-1804
(402) 471- 2027

□ DISTRICT B

438 West Market
Albion, NE 68620-1241
(402-395-2164

□ DISTRICT C

200 South Silber
North Platte, NE 69101-3200
(308) 535-8181

■ FUELS DIVISION

□ FLST ■ PIPELINE
246 South 14th Street
Lincoln, NE 68508-1804
(402) 471-2027

□ TRAINING DIVISION

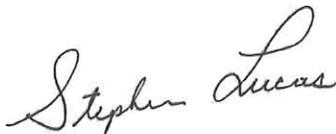
2410 North Wheeler Avenue
Suite 112
Grand Island, NE 68801-2358
(308) 385-6892

to take action had the result that a prompt response to a notification of a natural gas leak was not initiated on February 12, 2011.

Whenever the State Fire Marshal has reason to believe any person is violating any provision of subsection (1) of section 81-545 of the Nebraska Natural Gas Pipeline Safety Act of 1969 or any regulation under the Nebraska Natural Gas Pipeline Safety Act of 1969, the State Fire Marshal may request the Attorney General of Nebraska to bring an action under section 81-547 of the Nebraska Natural Gas Pipeline Safety Act of 1969 in the district court of the county in which the defendant's principal place of business is located. The district court may impose a civil penalty not to exceed ten thousand dollars for each violation for each day that such violation persists, except that the maximum civil penalty shall not exceed five hundred thousand dollars for any related series of violations. The district court shall have jurisdiction to restrain violations of the Nebraska Natural Gas Pipeline Safety Act of 1969 including the restraint of transportation of gas or the operation of a pipeline facility

We request that The Metropolitan Utilities District respond to within 30 days of receipt of this letter and reference #20110315-N on the return correspondence to our office. The response may accept the finding and state a plan of action to address the finding or, the response may disagree with the finding. If The Metropolitan Utilities District chooses to disagree with the finding, please justify your position in the response.

If you have any questions regarding the substance or propriety of this notice, please contact our office at, Nebraska State Fire Marshal, Pipeline Safety, 246 South 14th Street, Lincoln, NE 68508-1804 or telephone 402-471-9664.



Stephen Lucas
Deputy State Fire Marshal
Fuels Division, Pipeline Section



Clark Conklin
Chief Deputy State Fire Marshal
Fuels Division

Received on:

APR 04 2011

NE State Fire Marshal

March 31, 2011

Mr. Stephen Lucas,
Deputy State Fire Marshal
246 South 14th Street
Lincoln, NE 68508-1804

Reference # 20110315-N

Mr. Lucas,

I am responding to your March 15th, 2011 letter concerning Notice of Probable Violation, which was received in MUD Engineering on March 16th, 2011. The letter relates to findings by the State Fire Marshal's office related to leak report response. The probable violation is as follows:

§ 192.605 Procedure manual for operations, maintenance, and emergencies.

- (a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response...**

On February 12, 2011 a call was made to the Metropolitan Utilities District emergency number at Field Services Dispatch Center to report the smell of natural gas outside a building at the corner of Sixth and Pierce Streets in Omaha, Nebraska. There was no response to that notification of a natural gas leak at the Metropolitan Utilities District Field Services Dispatch Center until a call was made by the Douglas County 911 Center February 14, 2011. It appears that the Metropolitan Utilities District Gas Emergency Procedure No. 605 section C-2 Leak Report During Other Than Normal Working Hours was not followed and that failure to take action had the result that a prompt response to a notification of a natural gas leak was not initiated on February 12, 2011.

DISTRICT REVIEW

The District O&M procedure 605 Section C,2 states:

2. Leak Report During Other Than Normal Working Hours

The Field Service Dispatcher will send a technician to investigate and classify the leak the same as during normal working hours. If the dispatcher determines the leak requires investigation by Construction or if Field Service receives a call reporting what is obviously a significant break or gas explosion or receives an unusual number of calls from the same neighborhood reporting an unknown outside leak, the dispatcher will

immediately notify the Construction Duty Foreman to investigate and take such action as is necessary.

My first knowledge of the phone call in question was a result of Mr. Lucas' inquiry following his field interviews of numerous residents of the area near 6th and Pierce. I talked with the Superintendent of Field Services who is responsible for the work in the Dispatcher's Office. All calls to the Dispatch office are digitally recorded. In response the Superintendent reviewed the calls for the time period in question. He did find and review the call in question and determined that the caller did effectively communicate that there was a significant smell of natural gas in the area. It was the superintendent's judgment that the call definitely met the criteria that called for leak investigation. There is no record that any response took place.

CONCLUSION

The District does not disagree with Mr. Lucas' assertion that Procedure 605 was not followed.

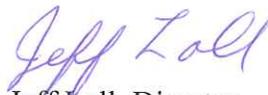
CORRECTIVE ACTION

The Superintendent of Field Services interviewed the individual who took the call and determined that the failure to respond was entirely due to that person's inaction. The fact that other activities of a similar nature were going on at the same time was not considered as any justification for our inaction. The District has taken appropriate disciplinary action with the employee. The employee has returned to work in the same position after a review of the responsibilities involved.

The Superintendent has made it a point of emphasis with all the dispatchers that response to such situations is absolutely necessary, no matter what the circumstances

The District feels sufficiently assured that there will be no repeat of this type of event.

Sincerely,



Jeff Loll, Director,
Engineering Design

**NEBRASKA STATE FIRE MARSHAL - PIPELINE SAFETY SECTION
FOLLOW-UP INSPECTION:**

Name of Operator:	Metropolitan Utilities District	Unit # 15-01-000	Site HQ
Operator Address: 3100 South 61st Avenue Omaha, NE 68106-3621		Phone Number: (402) 504-7903 Fax Number: Emergency: (402) 554-7777 Federal ID: 12390	
Persons Interviewed	Title	Phone No.	
Linda Hernandez	Field Services Dispatch Supervisor	(402) 504-7740	
Susan Wagner	Field Services Dispatcher	(402) 504-7970	
Jean Protsman	Field Services Dispatcher	(402) 504-7970	
Kim Polen	Field Services Dispatcher	(402) 504-7970	
Shelly Hansen	Field Services Dispatcher	(402) 504-7970	
Persons conducting Inspection: Stephen Lucas DSFM 8715			Date: 08-16-2012
Description: Code 192.605 Date of Letter: 03-15-11 Type: NOPV Disposition: Closed			
Portion of Unit Inspected : Field Services Dispatch Center			

Comments:

Observed the activities of four dispatchers during the period of shift change from first to second shift. I observed dispatchers performing activity of monitoring field services technicians and taking outside calls. I interviewed dispatchers and found them to be methodical and diligent in performing their tasks. I found that the dispatchers and management were very serious about getting the job done right and that every lost call results in disciplinary action.

End Of Report

STATE OF NEBRASKA



Letter of Approval

Dave Heineman
Governor

STATE FIRE MARSHAL
John Falgione
Fire Marshal

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 24, 2012

Jeffrey G. Loll P.E.
Director of Engineering Design
Metropolitan Utilities District
3100 South 61st Avenue
Omaha, NE 68106-3621

Subject: March 15, 2011 Notice of Probable Violation

Thank you for your March 31, 2011 response to our letter of concern. A follow up inspection was conducted by this office on August 16, 2012 and the following issue is considered resolved.

§192.605 Procedural manual for operations, maintenance, and emergencies

If you have any questions regarding the substance or propriety of this notice, please contact our office at, Nebraska State Fire Marshal, Pipeline Safety, 246 South 14th Street, Lincoln, NE 68508-1804 or telephone 402-471-9644.

Handwritten signature of Stephen Lucas in black ink.

Stephen Lucas, Deputy
Fuels Division, Pipeline Section
Nebraska State Fire Marshal

Handwritten signature of Clark Conklin in blue ink.

Clark Conklin, Chief Deputy
Fuels Division
Nebraska State Fire Marshal

MAIN OFFICE
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(308) 535-8181

FUELS DIVISION
 FLST Pipeline
246 South 14th Street
Lincoln, NE 68508-1804
(402) 471-9465

TRAINING DIVISION
2410 North Wheeler Avenue
Suite 112
Grand Island, NE 68801-2376
(308) 385-6892