

Len Jedrek/R9/USDAFS
11/18/2007 04:39 PM

To Jim Apgar/R9/USDAFS, Jim Campbell/R9/USDAFS
cc Len Jedrek/R9/USDAFS

bcc:

Subject 103/148/Arthur Stewart

South Branch Tionesta Creek Timber Sale: We had utility conflicts on 2 roads that were being re-constructed in conjunction with this timber sale: FR 412, and FR 103

Attached is a telephone conversation record in regards to the conflict on FR 412. The gas line severed was an unmarked line belonging to Duhring Resources. The OGM operator was not aware of the line's location and the field pumper did not know where the shut-off valve was.

A buried telephone line--Alltel was the next utility hit. once again line was not reasonably marked on the surface. 4/17/2006

Later in the contract (5/01/2006) a 3" oil line belonging to North Coast Energy was severed while the road contractor for LDB Timberland Operations, Allegheny Contracting (owned by Brent Buehler) was replacing culvert pipes.

The OGM operator was consulted with prior to any excavating starting, He indicated where he thought the line was, working in a "safe" area the excavator broke the line with his first scoop. The line was unmarked and buried shallow. A dyke was built to pond the spilled oil and 911 was called.

A copy of the response to the call is enclosed. Randy Durner CO, Jim Campbell FSR, Jim Duckett ER, and Jeff Stevenson CI were all on-site

Later LDB filed a claim for \$1856.39 for time delays as a result of the ruptured line. The claim was approved.

Enclosed is the historical record of FR 103 F.S. built the road 1.4 miles in 1968.

The historical record for 148 is also enclosed. it indicates that the road was built by the F.S. in 1933

The photographs are of the pipeline installed by Duhring Resources across our FR 148 (at the intersection with State Route 948) without any consultation with the F.S. Stewart likes to make a point that he should have been consulted during the planning stages of the Rock Run T.S. The line was open trenched across a limestone surfaced portion of 148 much settlement is evident installation method was poor.

Rock Run timber sale was sold on 12/08/2006 to Highland Forest Resources, Inc. Steve Dyne road builder.

A pre-work meeting was held on-site (see attached record) with representatives of Duhring Resources (Stewart/Tachoir) F.S. Jedrek/Stevenson and Steve Dyne. The roads proposed for re-construction were driven and Duhring reps indicated where they knew buried lines were located. They admitted that since they acquired the lease from AZCO, they did not know where all the lines were. Even pointed out that from Sta. 34+00 to end of road road contractor was on his own.

We exchanged contact phone #'s and the meeting was concluded.

On FR 148, contractor hit 1 oil line and 1 gas line both lines were unmarked and buried shallow The gas line being on top of our culvert pipe identified for replacement. Duhring Resources reacted quickly when called and repaired both lines. They also lowered 5 additional lines located near

replacement culverts. Working slowly these lines were located before they were broke.

Also on FR 148, a plastic gas pipeline riser hidden in thick brush was struck by the road contractors boom mower.

On FR 163 road contractor unearthed 6 lines in the ditch line. then struck a 3" oil line buried in the middle of the road unmarked and shallow This line was repaired quickly by Duhring.

On FR 162 an unmarked oil line in the center of the road was ruptured. When initially installed, this line was dug perpendicularly through our existing culvert pipe. No one was notified.

All lines damaged on the Rock Run sale were unmarked and shallow not in accordance with buried utility standards.

Len Jedrek Civil Engineer/ER ANF

TELEPHONE CONVERSATION & MEETING RECORD		Time:	Date:
			1150 hours
		Telephone:	<input type="checkbox"/> Incoming <input type="checkbox"/> Outgoing
Name of persons contacted or in contact with you:	Organization:	Telephone number:	
Dan Salm, Forest Engineer; James Duckett, Acting Engineering Rep.	Allegheny N.F., Supervisor's Office	---	
<p>SUBJECT: South Branch Tionesta Creek Timber Sale Bradford Ranger District, Allegheny National Forest LDB Timberland Operations, LLC, Purchaser Contract # 03-153569 / 2400-6T contract, 4/04 version / awarded 1/18/2006</p> <p>SUMMARY:</p> <p>Wednesday, April 12, 2006: Forest Engineer Dan Salm and Acting Engineering Representative for timber sale contracts, Jim Duckett, met to inform me of two recent incidents involving damage to buried utilities along FR 412 (formerly a private road, presumably OGM, being put onto the Forest road system) on the above timber sale. This road is being re-constructed by Brent Buehler of Allegheny Contracting. Construction Inspector Jeff Stevenson of the Bradford RD has been on-site working with the road contractor, and documenting the incidents, along with LEO Will Novitske. Salm, Duckett, and myself discussed the need to consider expanding pre-work documentation, to provide more contact names and numbers in the event of an unanticipated incident such as this. Apparently Mr. Salm had discussions with Mr. Buehler regarding these incidents and indicated he would respond back to him. Buehler gave him a number he could be reached at, but Salm was unable to reach him at the number (possibly an incorrect number).</p> <p>Natural Gas Line: Specifically, Allegheny Contracting (Brent Buehler, owner), in the course of re-constructing FR 412, accidentally struck and severed a natural gas line buried in the ditch line as of Tuesday, April 11, 2006 (CO heard Novitske and Stevenson on the Forest radio system responding to an "incident" on the morning of that day). This line, according to Mr. Salm, was unknown to the Forest Service and thus was not listed in the Road Log for FR 412. The owner of the line, Duhring Resources of Warren, PA was unaware of the presence of the line as well, and their field rep was unaware of how to shut the line off. The damage was subsequently repaired with a splice with the gas still flowing out of the severed line.</p> <p>Telephone Cable: On a subsequent day, Allegheny Contracting severed a buried telephone cable belonging to Alltel Corp., which was also unknown to the Forest Service. Some distance from the location of the work, Alltel did have a roadside marker, but it was not immediately recognized that this marker related to the buried line that sustained the damage. It is believed, but not confirmed that this line has been repaired.</p> <p>Thursday, April 13, 2006: The Contracting Officer made a routine phone call to the Regional Timber Sale CO to discuss several matters, and related the two incidents to him in general terms.</p> <p>Monday, April 17, 2006: ER Duckett advised CO Durner this morning, that apparently Mr. Buehler, not having heard back from Mr. Salm, wasn't sufficiently patient in waiting for a response from the Forest Engineer (who was on leave today, but plans to call Mr. Buehler on Tuesday, 4/18/06), and subsequently called the Regional Office and talked with Regional Director of Engineering Josiah Kim. He told him of his concerns, indicated he felt he wasn't getting the answers he felt he needed, and wanted a policy developed to address such contingencies as he just experienced.</p>			
Name of person documenting conversation:	Signature:	Date:	
RANDALL A. DURNER, TS Contracting Officer		17 April 2006	
Action taken:			
CO documented situation to date, to the contract file. Copy to be forwarded to ER and Regional TSCO.			
CO requested copy of documentation kept by CI Stevenson, through the ER.			
CO will request any info on this incident from LEO Novitske.			

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South Branch Tionesta Creek Timber Sale5/01/2006Contractor No. 03-153569

Received a call from Jim Campbell (FSR) at 9:45 stating that he received a call from Allen Smith, Timber Sale Purchaser, that Allegheny Construction (road builder) for the timber sale hit 3" oil & gas line on FR103 and that there was oil entering the spring seep and that in turn might be entering the South Branch Tionesta Creek. Contractor called 911 which dispatched the Sheffield Volunteer Fire Dept., they arrived on site at 10:15. At 10:25 Jeff Blymiller (North Coast Energy Pumper) was able to shut off 3" line. At this time the Fire Dept and contractor started applying absorbent pads and oil booms across spring seep. Oil did not reach the South Branch Tionesta Creek.

Met with DEP rep (Donald B. Hanna), he stated that North Coast should flush seep with water and collect remaining oil at the boom and to add one more boom at this location. Soil will be removed and put into trench that was dug and lined by contractor; this will be a temporary solution until a decision is made as to where to deposit contaminated oil. North Coast Energy field manager, Joe Schwab, will be in charge of clean-up and monitoring of site for the next couple of days.

Contractor had called PA-1 before digging began and was given serial #1075112.

Contracting officer released me at 2:00 p.m.

In attendance at the incident were the following:

Jeff Stevenson	Inspector
Jim Duckett	Engineering Rep
Jim Campbell	Forest Service Rep
Randy Durner	Contracting Officer
Shawna Monroe	Sale Administrator
Will Novitskie	Law Enforcement
Jerry Auman	Contract Rep
Brent Beuller	Owner - Allegheny Construction
Allen Smith	Sale Purchaser
Jeff Blymiller	North Coast Pumper operator
Joe Schwab	North Coast Field Rep
Roger Hoffner	Warren County Emergency Mgmt Agency
Donald B. Hanna	DEP

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United States
Department of
Agriculture.

Forest
Service

Allegheny National Forest
Supervisor's Office

222 Liberty Street
PO Box 847
Warren, PA 16365
(814) 723-5180
FAX (814) 726-1465

File Code: 2450-3
Route To: (2450)

Date:

Subject: South Branch Tionesta Creek TS - Oil Line Break

To: District Ranger, John R. Schultz

*** DRAFT ***

Executive Summary

An incident involving an OGM oil transmission line break occurred today, May 1, 2006 on the South Branch Tionesta Timber Sale, contract # 03-153569, awarded to LDB Timberland Operations, LLC on the Bradford Ranger District of the Allegheny National Forest. Specifically, Allegheny Contracting, while conducting specified road re-construction work on FR 103 on behalf of LDB Timberland, accidentally struck and damaged a crude oil transmission line resulting in a small oil spill on the nearby surface. The line was subsequently shut down within a relatively short period of time, the flow stopped, and repairs made to the line. Efforts were directed to controlling and limiting the spread of the spill to minimize environmental effects. The OGM operator, North Coast Energy, Inc. is cooperating in the cleanup of the spill and coordination with the road contractor on the remaining roadwork, to avoid a repeat of this incident.

Principals/Representatives

- **LDB Timberland Operations, LLC** – Purchaser of the South Branch Tionesta Creek Timber Sale, based in Ridgway, PA. **Alan Smith** is the designated Purchaser Representative and was on scene during the incident.
- **Allegheny Contracting** – Road builder working for LDB – TO, and also based in Ridgway, PA.. **Brent Buehler** is the owner of the company, and was on scene during the entire incident.
- **North Coast Energy, Inc.** – Owners of the OGM mineral estate and oil pipeline that was ruptured. **Jeff Blymiller** was the lease operator on scene for NCE at the time of the break. Other representatives were a **Mr. Ziegler** who helped with repair of the line, and **Joe Schwab**, Construction Supervisor for NCE who arrived later.

Responders

- **Sheffield Volunteer Fire Department** – Chief **Shannon Ace** responded to the incident with absorbent mats and batting to help contain the spill, and soak up the oil on the ground.
- **PA Department of Environmental Protection** – **Don Hanna** of the Warren Office was on scene to assess the situation, and advise on clean-up procedures.
- **Warren County Emergency Management Agency** – **Roger Hoffner** was on the scene to assess the situation and to offer response equipment if needed.



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- **LDB Timberland Operations** – also provided absorbent material to help stem flow and facilitate cleanup.

Forest Service Officials

- **Jeff Stevenson, Construction Inspector.** Responded to the scene after report of oil spill from Purchaser Representative Smith.
- **Jim Duckett, Acting Engineering Representative.** Responded to the scene after being notified of the spill.
- **Shawna Monroe, Sale Administrator.** Responded to the scene and helped coordinate district response with cleanup materials.
- **James Campbell, Timber Sale FS Representative.** Responded to scene after discussion with Purchaser Rep Smith.
- **Randall Durner, Timber Sale Contracting Officer.** Responded to scene with FSR.
- **Will Novitske, Law Enforcement Officer, Bradford RD.** Responded to scene and took statements from various individuals involved with the incident.

Summary of Events - Timeline

- **0950 Hours - FSR Campbell** received call from PR Smith from the Sale Area indicating that the road contractor, while working on FR 103, had struck and broken a buried 3-inch plastic oil line. He indicated that oil was flowing out onto the ground surface and was critically concerned that oil would reach South Branch of Tionesta Creek, which was down hill and across SR 948. Smith at this time indicated he had no way to shut off the oil. Smith is directed by the FSR to call for assistance.
- **1010 – FSR** tries to reach District OGM staff, Forest Hazmat Coordinator and others without success. Talking with Sale Administrator Monroe regarding incident.
- **1015 – CO** takes call from SA Monroe, who updates him on the status of the spill as she knows it. She will try and discuss with OGM Team Leader Derek Ibugaren.
- **1020 – Contracting Officer** informs immediate supervisor DeMarco of the oil spill, that information is sketchy, and indicates he will go on-site to assess situation given the potential.
- **1030 – FSR** is in cell phone contact with CI Stevenson who is traveling to the incident. Contact is intermittent. CI Stevenson and ER Duckett arrive sometime between 1030 and 1100. Duckett takes digital photographs of the spill scene.
- **0950-1030 – PR Smith and Contractor Brent Buehler** apparently dial 911 and secured emergency response, including Sheffield VFD, Warren County Emergency Mgmt Responders, and DEP Rep.
- **1030-1130 – Responders** arrive and initiate action to contain spill. OGM lease operator by this time has found shut-off valve and close down the line. According to PR Smith, both oil and gas were expelled at the break, creating a hazardous situation. He indicated

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the break was open for approximately 45 minutes. The break is located at station 25+75 on FR 103, about half way up the sloping road before it reaches a relatively flat plateau.

- **1130** – The CO and FSR depart the Supervisor's Office for the scene of the break on the South Branch Tionesta Creek TS.
- **1210** – CO and FSR arrive on scene, and note what appears to be a photographer leaving the scene; LEO Novitske arrives shortly thereafter. CO gets briefed by ER Duckett and CI Stevenson and also talks with SVFD Chief Shannon Ace to get an assessment of the scale of the oil spill. Ace estimates perhaps 30-40 barrels were spilled. CO begins to document facts, while LEO Novitske begins taking statements from various individuals.
- **1210-1235** – CO talks further with Warren Co. EMA Director Roger Hoffner, and also with DEP Rep Don Hanna, to assess the situation. Hoffner felt the response was very good, did all the right things to get handle on it. Hanna advised CO on clean-up and disposal options available, given the relatively small size of this spill. A stone pit on the top of the ridge is a possible burial site. Repair work starts on the damaged line. Hoffner then departs the scene.
- **1210-1235** – CO also talked with PR Smith and Road Contractor Buehler, to hear their concerns and issues, regarding lost time, costs, work schedule issues, and who would be responsible for what. Contractor needs to finish pipes as he has DSA aggregate arriving on Tuesday for this road. Regarding disposal of contaminated soil on NF lands, CO indicated that the District Ranger would have to make the decision regarding any burial on NF lands, or whether the material would have to be transported to landfill sanctioned to receive such material.
- **1230-1250** – ER Duckett talked with District Ranger John Schultz briefly, then CO Durner gave him a short briefing of the situation, including disposal options, given the limited knowledge he had from less than 40 minutes on site. The CO also advises Ranger Schultz to contact the Forest PAO as he believes a Warren Times-Observer photographer had been on site, and to also contact and brief the Forest Supervisor. At this juncture, Ranger Schultz declined to bury the contaminated soil. That material, estimated at about 12-15 cubic yards, has been dug out and placed in a plastic lined, shallow hole just off the roadside on the downhill side. The material has been covered over with the plastic.
- **1300** – CO continues discussion with PR Smith, Contractor Buehler, and DEP Rep Hanna, along with other FS personnel. He indicates that on-site burial isn't acceptable to the Ranger at this time, and that it may take additional time to reach that decision. Smith indicates he thinks as much as 100 gallons might have been spilled, since the material was under some pressure when the line broke (both from the wells higher up, and the natural pressure of the elevation difference).
- **1315** – Joe Schwab, Construction Supervisor for North Coast Energy arrives and meets with group, after inspecting the extent of the spill. Allegheny Contracting, per Don Hanna of DEP, indicates that Allegheny Contracting could transport the contaminated

material if it is buried in the vicinity. However, overall on PennDOT roads to an acceptable landfill (nearest may be in McKean County) requires a licence and signing, and AC is not certified for such transport. Hanna also describes "flushing" the oil with water off the hillside, into a collection point where it can be absorbed with pads and the cleanup finished.

- **1315-** Joe Schwab of NCE, indicates they have plans to implement 7 new wells on the ridge top flat, and that there would be a possibility of burying the contaminated soil there in the encapsulated pit for each well. Another option is to put the contaminated soil into an "intermittent" pit, in a better location than where it currently is, until a decision is finalized on the disposal site, since rain is expected on Thursday, 5/4/06.
- **1330** – One of LDB's loggers arrives and indicates that a logging accident just occurred on the sale, in a unit above us. The injured male is being brought down by truck to our location to be moved to another vehicle, since the road is impassable, and then transported for medical treatment. The victim arrives shortly, a young male in late teens or early 20's. He has sustained an apparent laceration to his left foot in the toe region (bandaged) and is able to walk with help to an awaiting truck which transports him to medical care.
- **1330-1400** – CO goes over needs for site cleanup with Schwab of NCE, who is very cooperative and orally agrees for North Coast Energy to: 1) do the flushing with his trucks and cleanup the oil and pads; 2) to monitor the cleanup; 3) to line the area downhill where the water collection and cleanup will occur from the flush; 4) to dispose of the contaminated soil at a location to be designated by Forest Service.
- **1415** – CO and FSR depart scene. Line has been repaired, and new culvert in place on FR 103.
- **1530** – On return to the Supervisor's Office, CO coordinated with PAO Steve Miller on the WTO issue, and also with Forest Engineer Dan Salm and Hazmat Coordinator Linda Houston, as well as EM Staff Officer Demarco.

Preliminary Findings

- Allegheny Contracting personnel talked with North Coast Energy operator Jeff Blymiller, regarding the presence or absence of the pipelines along FR 103. They were told there were no lines present on the downhill side, where they were supposed to dig.
- It appears Allegheny Contracting took reasonable measures to try and prevent any damage to NCE's lines, however, those lines were not marked on the surface. NCE's Schwab indicated that new lines are buried with a copper line over the top to aid in their location.
- It would appear that North Coast Energy should bear the full responsibility and cost for the cleanup and that any claims for lost time by Purchaser and his subcontractor.

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- NCE's Schwab also indicated they would reimburse Sheffield VFD for the materials they brought to the site and used to help with the spill cleanup.

RANDALL A. DURNER
Contracting Officer

cc: Kathleen Morse, Lois Demarco, Randy Durner