



The Commonwealth of Massachusetts
DEPARTMENT OF PUBLIC UTILITIES

PIPELINE ENGINEERING AND SAFETY DIVISION

INCIDENT REPORT

39 Jenny Lind Street, Easton, Massachusetts
September 10, 2007

PIPELINE ENGINEERING AND SAFETY DIVISION

Accident File

Location: 39 Jenny Lind Street, Easton, Massachusetts

Date of Accident: September 10, 2007

Gas Company: Bay State Gas Company

Estimated Property Damage: \$2,000,858.51*

Injuries: 7

Report Issued - July 15, 2009

*** Estimated by Bay State Gas Company**

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I. INTRODUCTION

A. Scope of this Investigation

The Massachusetts Department of Public Utilities (“Department”), Division of Pipeline Engineering and Safety (“Division”), pursuant to G. L. c. 164, § 105A and Federal Certification Agreement as provided for in 49 U.S.C. § 60105, has investigated a release of natural gas (“gas”) at 39 Jenny Lind Street, Easton that occurred on September 10, 2007 (“Incident”).¹ The release contributed to an explosion, fire and \$2,000,858.51 in property damage, as estimated by Bay State Gas Company (“BSG”) (Exh. 1). There were seven injuries as a result of the explosion and fire (Exh. 2). The pipeline involved was owned and operated by BSG.

As part of the Department’s annual certification process by the United States Department of Transportation (“U.S. DOT”), the Department must report to the US DOT:

each accident or incident involving a fatality, personal injury requiring hospitalization, or property damage or loss of more than an amount the secretary established and any other accident the [Department] considers significant, and a summary of the investigation by the [Department] of the cause and circumstances surrounding the accident or incident. 49 U.S.C. § 60105(c).

¹ Incident means any of the following events:
(1) An event that involves a release of gas from a pipeline or of liquefied natural gas or gas from an LNG facility and
(i) A death, or personal injury necessitating in-patient hospitalization; or,
(ii) Estimated property damage, including cost of gas lost, of the operator or others, of \$50,000 or more.
(2) An event that results in an emergency shutdown of an LNG facility.
(3) An event that is significant, in the judgement of the operator, even though it did not meet the criteria of paragraphs (1) or (2). 49 CFR Part 191 § 191.3.

The purpose of this report is to inform the U.S. DOT as to the cause and the circumstances surrounding the incident.

The Department has established procedures for determining the nature and extent of violations of the codes and regulations pertaining to safety of pipeline facilities and the transportation of gas, including but not limited to, 220 C.M.R. §§ 101.00 through 113.00. See 220 C.M.R. §§ 69.00 et seq. The Department also enforces the U.S.DOT safety standards for pipeline systems as set forth in 49 C.F.R. Part 192 ("Part 192").

G.L. c. 164, § 105A.

B. Overview of Incident

At approximately 11:08 a.m., September 10, 2007, the Town of Easton Fire Department received a report of a house explosion and fire at 39 Jenny Lind Street, Easton (Exh. 3).

At approximately 11:40 a.m.,² BSG reported to the Division a house explosion at Seaver Street and Jenny Lind Street, Easton (Exh. 4).

The Department sent two investigators to the scene. The residential two story wood house with an asphalt shingle roof had been completely destroyed (Exh. 5). The house was being rented to six people (id.). The structure at 35 Jenny Lind Street received substantial damage (Exh. 6). There were 7 persons transported to the hospital with injuries.

² In a letter to all operators, the Director of the Division has requested that operators inform the Department of any incident promptly, but no more than two hours after the incident.

A backhoe operated by a BSG contractor was replacing the gas service³ line and removed a rock from near the existing gas service line (Exh. 7). The rock contacted the gas service pipe and apparently caused a release of gas inside the basement. The gas was ignited by the gas water heater in the basement (Exh. 2).

II. THE DEPARTMENT INVESTIGATION

A. Description of the Site

Jenny Lind Street runs East and West between Williams Street and Seaver Street. Number 39 is located at the East end of Jenny Lind Street at the South corner of Seaver Street. The house was two story, wood frame construction with an asphalt shingle roof and a full basement (Exh. 2). The house contained two rental units.

On the day of the Incident, there were two live gas mains⁴ on Seaver Street. The two inch bare steel main was installed in 1925. BSG and was in the process of replacing it. The replacement main was a 2 inch plastic main. On the day of the Incident, both high pressure⁵

³ A distribution line that transports gas from a common source of supply to an individual customer, or two adjacent or adjoining residential or small commercial customers, or to multiple residential or small commercial customers served through a meter header or manifold. A service line ends at the outlet of the meter or at the connection to a customer' piping, whichever is further downstream, or at the connection to customer piping if there is not a meter.

⁴ A main is a distribution line that serves as a common source of supply for more than one service line. Part 192, § 192.3.

⁵ A high pressure system is where the pressure in the main is higher than the pressure provided to the customer. Part 192, § 192.3.

mains were operating at 60 pounds per square inch gauge (“psig”)⁶ (Exh. 8).

The service line to 39 Jenny Lind Street entered the house on the Seaver Street side. The service line was one inch steel pipe installed in 1955, with a curb valve⁷ and valve box (Exh. 9). There were two meters, one customer regulator,⁸ and an insulating locking valve inside the basement. Two investigators from the Division went to the scene along with representatives of the Easton Police and Fire Department, Bay State Gas, OSHA, Easton DPW and the Department of Public Safety.

The Division investigators observed that the house had been completely destroyed. The walls were blown out and the floors and roof collapsed onto the foundation. The house next door, 35 Jenny Lind Street, received substantial damage from the blast and resulting fire.

B. Bay State Gas Company

1. The Main and Service Replacement Project

BSG hired a contractor to replace its mains and services on Jenny Lind Street, Seaver Street and other streets in the area (“BSG Contractor”) (Exh. 10). The process is to install the replacement main and connect the ends of the replacement main to the old main so they are

⁶ Pounds per square inch gauge refer to the pressure expressed in pounds exerted on one square inch of surface area. The designation “gauge”, indicates the readings are already adjusted to ignore the surrounding atmospheric pressure, which is 14.7 psi at sea level. If psig gauge were not connected to any pressure source, it would read zero even though it is actually sensing 14.7 psi at sea level.

⁷ A curb valve is a service line valve buried near the property line with a valve box that makes the valve accessible.

⁸ A service regulator is a valve which reduces the pressure in the service line from the pressure in the main to the pressure provided to the customer.

both live. The services are then renewed and connected to the replacement main. If the meters and other equipment are located inside, then a BSG fitter relocates them outside. When all the services are connected to the replacement main, the old main is abandoned (Exh. 11).

2. The Scope of the Service Replacement Work at 39 Jenny Lind Street

BSG obtained a Dig Safe ticket for the excavation at the Incident site (Exh. 12). BSG stated that it used its own system maps to locate the service, but had no specific documents to demonstrate that it marked out the service to 39 Jenny Lind Street (Exh. 13). However, the BSG service card and their mapping system did not accurately show where the service at 39 Jenny Lind Street was, in fact, located. After the service was exposed on the day of the Incident, Pipeline Division inspectors observed that the service was bent, and installed at an angle over a rock and with approximately 3 to 5 inches of cover at the most shallow point.⁹

Prior to the day of the Incident, a BSG fitter installed a new meter manifold on the outside of the house at 39 Jenny Lind Street near the existing gas service entrance to the house. The manifold consisted of the service regulator, piping for two meters, piping from the manifold to inside the house through the board on the top of the foundation and under the first floor. BSG completed this work so that on the day the service is connected over to the replacement main, some of the fitters work would already be completed. BSG would connect

⁹ BSG's excavation procedures require that, prior to excavation, a check shall be made to ensure that all sub structure utilities or installations are located (Exh.11). The procedures also require that all boulders, trees or other surface impediments be removed or made safe before commencing excavation (id.) with respect to changing services (relocating service pipe from one main to another), BSG is also required to locate and mark all company facilities and be sure of the locations of other underground utilities when digging (id.) BSG is also required to shut off the gas at the meter and tee connection (id.).

the replacement service to the new outside manifold, and the BSG fitter would connect the customer piping to the new manifold.

3. The Incident

At time of the Incident, the BSG Contractor had a backhoe operator, two laborers, and a truck driver assigned to work at the site. A BSG fitter was also at the Incident site.

The backhoe operator excavated from the house to near the property line, where the curb valve was located. The curb valve was exposed. The curb valve would have to be removed to install the new service. The service was to be inserted in the old service line under the street area, and then be direct buried in the private property area (Exh. 14).

One laborer and the BSG fitter were at the Incident scene at the time of the explosion. The truck driver was away from the area with the dump truck and another laborer was on Seaver Street working on connecting over another service. The backhoe operator had excavated the trench for the replacement service and left the location. BSG presented evidence that it had qualified this backhoe operator for this task (Exh. 15).

The laborer stated that, at the time of the Incident, he was in the trench clearing rocks and finishing the trench with a shovel for the new service pipe installation.

The backhoe operator stated that he excavated a trench from the house to near the property line (Exh. 2). The trench then cut over to where the curb valve was, and the valve was exposed. This trench was approximately parallel to the existing service. The live service pipe did not appear to be exposed (Exh. 16). The backhoe operator stated that he removed a

rock from the trench while excavating, but did not hit the service with the backhoe (Exh. 17).

He stated that the explosion occurred 7-10 minutes after he finished the excavation.

The laborer working in the trench at the time of the explosion stated that the explosion occurred one half hour after the trench was excavated (Exh. 2). He stated that he did not smell gas or hear anything prior to the explosion (id.). He also stated that the entire service from the house to the curb valve was uncovered.

One of BSG's Contractor employees stated that the BSG fitter was working at the rear of his truck, which was parked on Seaver Street near the side driveway to 39 Jenny Lind Street (id.). The truck was approximately 50 feet from the south east corner of the house. The BSG fitter's tool bag was found at the top step of the bulkhead. After the explosion, the BSG fitter was found near the Seaver Street driveway. The BSG fitter informed the Pipeline Division investigators that he cannot remember where he was at the time of the explosion (Exh. 18).

4. BSG Leak Survey after the Incident

BSG conducted leak survey tests on September 10, 2007 on Jenny Lind Street, Seaver Street, around the Incident scene, and in and around the adjacent houses. BSG found no leaking gas in the ground or in any of the houses in close proximity to 39 Jenny Lind Street (Exh. 17).

5. BSG Odorization

The state regulation, 220 C.M.R. § 101.06(20), requires operators to odorize gas in their distribution systems. Gas must be "readily perceptible to the normal or average olfactory senses of a person coming from fresh uncontaminated air into a closed room containing 0.15

percent gas and air.” The state regulation, 220 C.M.R. § 101.06 (20)(a), requires operators to conduct periodic sampling of odorant concentrations throughout their system.

BSG conducts odorant sampling throughout its system on a monthly basis. On September 10, 2007, two odorant tests were conducted in Easton after the explosion (Exh. 19).

The results of the tests are as follows:

1. 224 Main Street, Easton. Reading Actual 0.07
2. 15 Williams Street, Easton. Reading Actual 0.08

The odor detection level of gas in air, which ranged from 0.07 percent to 0.08 percent gas in air, indicates that the odorant was within the limit prescribed in the state regulation. The odorant level also met the federal pipeline safety requirement, contained in Part 192, § 192.625, which requires that gas be odorized so that it can be detected at a level of one percent gas and air.

There were four residents in the house at the time of the explosion (Exh. 2). Two of them stated that they did not hear or smell anything before the explosion (id.). One of the residents smelled gas just prior to the explosion and the other resident heard a “psst” sound just prior to the explosion (id.).

C. Failure Analysis of Pipe Sections

Massachusetts Materials Research, Inc (“MMR”) conducted failure analysis of the interior piping and the exterior section of the service line from 39 Jenny Lind Street and issued

a report ("MMR Report").¹⁰ The piping was recovered by the Easton Fire Department and stored at their facility. The piping and fittings were released to the Division and were taken to MMR for metallurgical testing. The piping and fittings partly consisted of the high pressure service line including the curb valve and fittings up to the regulator. The low pressure piping from the regulator to the meter inlet, the regulator and regulator vent pipe, and the meters were also part of the evidence sent to MMR. The purpose of the testing was to document the condition of the evidence and to determine the cause of the Incident.

MMR conducted debris analysis, leak testing, radiographic examination, microscope examination, fracture surface conditions and chemical analysis. Its analysis and testing found:

- All steel fractures were consistent with ductile overload formed during the house collapse;
- Long longitudinal scrapes along the underside of the bend in the pipe indicate that the rock that was removed from under this bend contacted the pipe in a sliding, dragging motion. Movement against this pipe would translate to movement of the service inside the basement;
- The force was not likely enough to have created enough tensile pulling to fracture the service pipe at the inlet elbow;
- The isolation fitting is most likely the source of the gas;
- Damage to the isolation joint could release gas at high pressure into the basement

(MMR Report at 20).

Based on the analysis, MMR concluded the following:

¹⁰ Copies of the MMR report can be obtained by contacting: Veda-Anne Ulcickas, Massachusetts Materials Research, Inc., P.O. Box 810, Century Drive, West Boylston, MA 01583

Contact of the service pipe with the rock removed from its bend likely caused movement of the service inside the 39 Jenny Lind Street basement. This movement was sufficient to smear the service pipe coating, but not enough to dent or significantly scratch. Therefore, the movement would not likely be sufficient to fracture the service pipe at the elbow, but could be sufficient to cause damage to either the regulator or the polymer part of the isolation fitting adjacent to the high pressure cock . . . Damage to the regulator from the wall contact would have occurred on the vent side, where no gas circulates under normal operating conditions.

Damage to an isolation fitting, however, has a high potential to release natural gas at high pressure. Recall that the Incident damage to both the regulator and the isolation joint intervals was severe enough to prevent verification of any non-fire related damage.

The bend in the service pipe did not have the same features as a service pipe altered by a backhoe (e.g. backhoe tooth marks and buckling at the region where the bend ends and transitions to straight pipe). In addition, the Jenny Lind Street pipe was still located within the cellar wall and penetrated into the cellar (MMR Report at 21).

III. FINDINGS AND CONCLUSIONS

A. Findings

1. A two inch bare steel main was laid under Jenny Lind Street Easton in 1925.
2. The operating pressure in the main on September 10, 2007 was 60 psig.
3. A one inch coated steel service line to 39 Jenny Lind Street was installed in 1955.
4. The service card for this service line indicated that the service line was straight.
5. BSG was in the process of replacing the main and services on Jenny Lind Street and Seaver Street and other streets in the area.
6. By September 10, 2007, the two inch replacement plastic main installation had been completed and the main was live.
7. On September 10, 2007, BSG was replacing the service line and relocating the meters outside to 39 Jenny Lind Street.

8. BSG's contractor excavated a trench for the replacement service line from the house at 39 Jenny Lind Street to near the property line.
9. BSG's contractor cut the trench over to where the curb valve was, and exposed the valve.
10. The trench was approximately parallel to the existing service.
11. BSG's contractor removed a rock from the trench while excavating.
12. Gas was released and accumulated in the basement, and the source of ignition was most likely the gas hot water heater.

B. Conclusions and Recommendations

It is reasonable to infer that, when installing the service line in 1955, the operator bent the service line to accommodate a rock. The MMR report's conclusion is that: (1) the rock came in contact with the service pipe; (2) damage to the isolation joint could release gas at high pressure into the basement; and (3) the isolation fitting is the most likely source of the gas release, is reasonable, and supported by substantial and sufficient evidence.

The Division agrees with MMR's conclusion that the cause of the release of gas in this Incident is most likely the movement of the service line by the BSG backhoe operator when he removed a rock that contacted the service pipe.

On June 8, 2009, the Division and BSG entered into a Consent Order that concluded a Dig-Safe enforcement action with BSG. G. L. c. 82, §§ 40 through 40E ("Dig Safe Law"). 220 C.M.R. §§ 99.00 et seq. The Division has reason to believe that, while excavating near the service line, the Operator failed to employ reasonable precautions to avoid damage to the service line. The Division concluded that this was a probable violation of the Dig Safe Law.

BSG is required to determine the cause of a failure so that corrective action can be taken to minimize the possibility of a recurrence or to minimize the consequences should there be a recurrence. 49 CFR Part 192, § 192.617. As part of this process, the Division recommends that BSG consider reviewing amending portions of its operations, construction and emergency manuals in order to prevent a similar situation from occurring. In addition to any changes to its procedures BSG may implement on its own, the Pipeline Division suggests that BSG consider the practices contained in this section.

In 2002, the Pipeline Hazardous Materials and Safety Administration (“PHMSA”) issued an Advisory Bulletin urging operators to follow the “best practices” for excavating based upon a study performed by the Common Ground Alliance (“CGA”). ADB 02-01 (67 FR 3667 (May 24, 2002)). Since then, the CGA has continued to review and revise these “best practices” first established in the Common Ground Study. In March, 2008, CGA issued its most recent guide (“CGA Best Practices”). In 2006, the Pipeline Hazardous Materials and Safety Administration (“PHMSA”) issued two Advisory Bulletins on preventing construction-related underground utility damage. ADB-06-01; ADB-06-03. PHMSA recommended that operators follow the guidelines in CGA Best Practices. ADB-03-03.

PHMSA reminded operators that excavation is a covered task and recommended operators review the adequacy of covered tasks involving line locating, excavating, and inspection of excavation activities of qualified employees and contractors. ADB-06-01, at 2 citing 49 C.F.R. Part 192, § 192-801-809. PHMSA recommended that operators review the adequacy of covered tasks involving line locating and inspection of excavation activities.

ADB-06-01. Operators should always locate and mark pipelines accurately before excavation begins, and not rely solely on maps, drawings, or other written materials to locate pipelines.

ADB-06-03, at 3. Operators should also confirm the accuracy of the pipe location before excavation begins. ADB-06-03, at 3. This applies when the pipeline operator conducts the excavation using its own employees, a contractor, or a third party. ADB-06-03, at 3. Finally, when pipelines are hit or almost hit during excavation, evaluate the practices and procedures in use before continuing the construction activity.

Accordingly, based upon review of all of the evidence in this investigation, the Division recommends that BSG consider implementing the following changes to its operating procedures.

1. BSG should amend its operating procedures to include more detailed requirements for its excavators to verify the location of its gas facilities when using powered equipment in proximity to live gas lines.
2. BSG should consider establishing in its operations and construction manuals minimum clearances from facilities when using powered equipment.
3. BSG should consider using an observer to assist equipment operators when operating excavation equipment around known underground facilities.

EXHIBIT LIST

1. Federal Incident Report
2. Massachusetts State Police Report
3. Easton F.D. report
4. BSG Incident report
5. Photo 39 Jenny Lind Street
6. Photo 35 Jenny Lind Street
7. Photos of rock
8. System pressure
9. Service card
10. List of BSG Contractors
11. BSG Operation & Maintenance Manual, Service Changeovers and Excavation Procedures
12. Dig Safe Ticket
13. Locating Service to 39 Jenny Lind Street
14. BSG Operation & Maintenance manual, Service insertion with plastic pipe
15. OQ Record of BSG Employees
16. Photo of Service Line (not exposed)
17. Jenny Lind St Notes of DPU Inspector
18. Notes of John Kelly interview by DPU Inspector
19. Odorant Levels Reported by BSG

EXHIBIT 1

Federal Incident Report

NOTICE: This report is required by 49 CFR Part 191. Failure to report can result in a civil penalty not to exceed \$100,000 for each violation for each day the violation continues up to a maximum of \$1,000,000 for any related series of violations as provided in 49 USC 60122. Form Approved OMB No. 2137-0522



U.S. Department of Transportation
Research and Special Programs
Administration

INCIDENT REPORT - GAS DISTRIBUTION SYSTEM

Report Date
No.
(DOT-Use Only)

INSTRUCTIONS

Important: Please read the separate instructions for completing this form before you begin. They clarify the information requested and provide specific examples. If you do not have a copy of the instructions, you can obtain one from the Office Of Pipeline Safety Web Page at <http://ops.dot.gov>.

PART A - GENERAL REPORT INFORMATION

Check Original Report Supplemental Report Final Report

1. Operator Name and Address

- a. Operator's 5-digit Identification Number 01209
- b. If Operator does not own the pipeline, enter Owner's 5-digit Identification Number / / / / /
- c. Name of Operator Bay Ste Gas Company
- d. Operator street address 995 Belmont Street
- e. Operator address Brockton, Plymouth, MA 02301
City, County or Parish, State and Zip Code

2. Time and date of the incident

11:00am 09-10-07
hr. month day year

3. Incident Location

- a. 39 Jenny Lind Street
Street or nearest street or road
- B Easton, Plymouth
City and County or Parish
- c. MA 02356
State and Zip Code
- d. Latitude: / / / / / Longitude: / / / / /
(if not available, see instructions for how to provide specific location)
- e. Class location description
 Class 1 Class 2 Class 3 Class 4
- f. Incident on Federal Land Yes No

4. Type of leak or rupture

- Leak: Pinhole Connection Failure (complete sec. F5)
- Puncture, diameter or cross section (inches) _____
- Rupture (if applicable):
- Circumferential - Separation
- Longitudinal
- Tear/Crack, length (inches) _____
- Propagation Length, total, both sides (feet) _____
- N/A
- Other: Unknown

5. Consequences (check and complete all that apply)

- a. Fatality Total number of people: / / / / /
- Employees: / / / / / General Public: / / / / /
- Non-employee Contractors: / / / / /
- b. Injury requiring inpatient hospitalization
- Total number of people: / / / / /
- Employees: / / / / / General Public: / / / / /
- Non-employee Contractors: / / / / /
- c. Property damage/loss (estimated) Total \$2,000,858.51
- Gas loss \$736.51 Operator damage \$122.00
- Public/private property damage \$ 2,000,000

- d. Gas Ignited Explosion No Explosion
- e. Gas did not ignite Explosion No Explosion
- f. Evacuation (general public only) 15 people
- Evacuation Reason:
- Unknown
- Emergency worker or public official ordered, precautionary
- Threat to the public
- Company policy

6. Elapsed time until area was made safe:

1 hr. 05 min.

7. Telephone Report

848420 09-10-07
NRC Report Number month day year

8. a. Estimated pressure at point and time of incident:

60 PSIG

b. Max. allowable operating pressure (MAOP): 99 PSIG

c. MAOP established by:

- Test Pressure _____ psig
- 49 CFR § 192. 619 (a)(3)

PART B - PREPARER AND AUTHORIZED SIGNATURE

James J. Murphy Manager, Service and Meter
(type or print) Preparer's Name and Title

(508) 580-0100, extension 1332
Area Code and Telephone Number

jmurphy@nisource.com
Preparer's E-mail Address

(508) 583-9079
Area Code and Facsimile Number

James J. Murphy, Manager Service and Meter
(type or print) Name and Title

10/5/07
Date

(508) 580-0100 extension 1332
Area Code and Telephone Number

PART C - ORIGIN OF THE INCIDENT

1. Incident occurred on
 Main Meter Set
 Service Line Other: Undetermined
 Pressure Limiting and Regulating Facility
2. Failure occurred on
 Body of pipe Pipe Seam
 Joint Component
 Other: Undetermined
3. Material involved (*pipe, fitting, or other component*)
 Steel
 Cast/Wrought Iron
 Polyethylene Plastic (complete all items that apply in a-c)
 Other Plastic (complete all items that apply in a-c)
 Plastic failure was: a. ductile b. brittle c. joint failure
 Other material: Undetermined
4. Year the pipe or component which failed was installed:

PART D - MATERIAL SPECIFICATION (if applicable)

1. Nominal pipe size (NPS) in.
 2. Wall thickness in.
 3. Specification: SMYS.
 4. Seam type
 5. Valve type
 6. Pipe or valve manufactured in year:

PART E - ENVIRONMENT

1. Area of incident In open ditch
 Under pavement Above ground
 Under ground Under water
 Inside/under building Other: In and Around Subject Location
 2. Depth of cover: inches

PART F - APPARENT CAUSE

Important: There are 25 numbered causes in this section. Check the box to the left of the primary cause of the incident. Check one circle in each of the supplemental items to the right of or below the cause you indicate. See the instructions for this form for guidance.

F1 - CORROSION

- If either F1 (1) External Corrosion, or F1 (2) Internal Corrosion is checked, complete all subparts a - e.*
1. External Corrosion
2. Internal Corrosion
- a. Pipe Coating b. Visual Examination c. Cause of Corrosion
 Bare Localized Pitting Galvanic Stray Current
 Coated General Corrosion Improper Cathodic Protection
 Unknown Other: _____ Microbiological
 Other: _____
- d. Was corroded part of pipeline considered to be under cathodic protection prior to discovering incident?
 No Yes Unknown Year Protection Started: / / / / /
- e. Was pipe previously damaged in the area of corrosion?
 No Yes Unknown How long prior to incident: / / / / years / / / / months

F2 - NATURAL FORCES

3. Earth Movement => Earthquake Subsidence Landslide Other: _____
4. Lightning
5. Heavy Rains/Floods => Washouts Flotation Mudslide Scouring Other: _____
6. Temperature => Thermal stress Frost heave Frozen components Other: _____
7. High Winds

F3 - EXCAVATION

8. Operator Excavation Damage (*including their contractors*) / Not Third Party
9. Third Party Excavation Damage (*complete a-d*)
 a. Excavator group
 General Public Government Excavator other than Operator/subcontractor
 b. Type: Road Work Pipeline Water Electric Sewer Phone/Cable/Fiber Landowner Railroad
 Building Construction Other: _____
 c. Did operator get prior notification of excavation activity?
 No Yes: Date received: / / / mo. / / / day / / / yr.
 Notification received from: One Call System Excavator General Contractor Landowner
 d. Was pipeline marked?
 No Yes (*If Yes, check applicable items i - iv*)
 i. Temporary markings: Flags Stakes Paint
 ii. Permanent markings: Yes No
 iii. Marks were (*check one*) Accurate Not Accurate
 iv. Were marks made within required time? Yes No

F4 - OTHER OUTSIDE FORCE DAMAGE

10. Fire/Explosion as primary cause of failure => Fire/Explosion cause: Man made Natural Describe in Part G
11. Car, truck or other vehicle not relating to excavation activity damaging pipe
12. Rupture of Previously Damaged Pipe
13. Vandalism

F5 - MATERIAL OR WELDS

Material

14. Body of Pipe ⇒ Dent Gouge Wrinkle Bend Arc Burn Other: _____
15. Component ⇒ Valve Fitting Vessel Extruded Outlet Other: _____
16. Joint ⇒ Gasket O-Ring Threads Fusion Other: _____

Weld

17. Butt ⇒ Pipe Fabrication Other: _____
18. Fillet ⇒ Branch Hot Tap Fitting Repair Sleeve Other: _____
19. Pipe Seam ⇒ LF ERW DSAW Seamless Flash Weld Other: _____
- HF ERW SAW Spiral

Complete a-f if you indicate any cause in part F5.



a. Type of failure:

- Construction Defect ⇒ Poor Workmanship Procedure not followed Poor Construction Procedures
- Material Defect Unable to determine

b. Was failure due to pipe damage sustained in transportation to the construction or fabrication site? Yes No

c. Was part which leaked pressure tested before incident occurred? Yes, complete d-f, if known No

d. Date of test: / / mo. / / / day / / / yr.

e. Time held at test pressure: / / / hr.

f. Estimated test pressure at point of incident: _____ PSIG

F6 - EQUIPMENT OR OPERATIONS

20. Malfunction of Control/Relief Equipment ⇒ Valve Instrumentation Pressure Regulator Other: _____
21. Threads Stripped, Broken Pipe Coupling ⇒ Nipples Valve Threads Mechanical Couplings Other: _____
22. Leaking Seals

23. Incorrect Operation

a. Type: Inadequate Procedures Inadequate Safety Practices Failure to Follow Procedures Other: _____

b. Number of employees involved in incident who failed post-incident drug test: / / / / Alcohol test: / / / /

c. Was person involved in incident qualified per OQ rule? Yes No d. Hours on duty for person involved: / / /

F7 - OTHER

24. Miscellaneous, describe: _____

25. X Unknown

- Investigation Complete X Still Under Investigation (submit a supplemental report when investigation is complete)

PART G - NARRATIVE DESCRIPTION OF FACTORS CONTRIBUTING TO THE EVENT (Attach additional sheets as necessary)

Company was working on a main replacement. The incident location was scheduled for a service replacement. The old service was scheduled for replacement on the day of the incident.

EXHIBIT 2

Massachusetts State Police Report



Massachusetts State Police Report of Investigation



Case Number 2007-117-1561	Controlling Case Number
Author	Created On 09/11/2007
Lead Investigator Thomas M Berteletti	Assisted by Kevin J McMahon, Michael J Peters, Jeanne Stewart, Barry Shea
Team South	
Agency Assist A25 MA FD	K-9 No

Date of Incident 09/10/2007	Time of Incident 11:08 AM (approximate)
Requested By:	Requested On:
Organization Easton Fire Department	Date 09/10/2007
Representative Chief Thomas Stone	Time 11:40 AM
Email Address tstone@easton.ma.us	

Case Type (codes) F30 Fire - Accidental
Warrant None
Property Type Residential

Technical Assistance Other
Bomb Technician
Other Paul Grieco, Public Utilities Engineer, Comm. of MA, Dept. of Telecommunications & Energy

Street Address 39 Jenny Lind Street
City / Town N. Easton
State MA
Zip Code 02356

Case Status C7 Closed Completed
Approved By Francis M McGinn
Approved On 10/11/07 14:41
Comments This incident involved an explosion and subsequent fire in a two story wood framed rental property at 39 Jenny Lind St., N. Easton. Bay State Gas and their subcontractor, RJ Devereaux Corp., were updating the gas service at the property, at the time of the explosion. Seven parties were injured as a result of this incident and at this time all the injuries are described as non-life

threatening. The scene examination is complete and as a result the cause has been deemed accidental related to the work being performed by Bay State Gas and RJ Devereaux Corp. The fuel has been identified as natural gas and the ignition source has been identified as the pilot of the residential gas fired hot water heater located in the basement area. This investigation is complete.

People Allowed to Edit this Document: [Supervisors]

Created: 09/11/2007 02:15 PM by Thomas M Berteletti

Revision History 09/11/2007 02:34 PM by CN=Thomas M Berteletti/OU=MSP/O=DFS
09/13/2007 09:44 AM by CN=Thomas M Berteletti/OU=MSP/O=DFS
10/10/2007 04:13 PM by CN=Thomas M Berteletti/OU=MSP/O=DFS
10/10/2007 04:14 PM by CN=Thomas M Berteletti/OU=MSP/O=DFS
10/11/2007 02:41 PM by CN=Francis M McGinn/OU=MSP/O=DFS

10/10/07 16:14 Thomas M Berteletti : Requested status change from "O1 Open Active I" to "C7 Closed Completed"
10/11/07 14:41 Francis M McGinn : Approved status change to "C7 Closed Completed"

Attach external file(s) here:

Fire Investigation Summary Report

Case Number: 2007-117-1561
Controlling Case Number: None
Case Type: F30 Fire - Accidental

Report Creator: Thomas M Berteletti
Lead Investigator(s): Thomas M Berteletti Team: South

FIU Requested By: Chief Thomas Stone from Easton Fire Department
FIU Requested On:

Date and Time of Incident: 09/10/2007 at approximately 11:08 AM
Address/ Location of Incident: 39 Jenny Lind Street N. Easton, MA

Property Investigated

Type of Investigation: Explosion
Type of Property: Residential

Protection Systems:

Smoke Detector: Not Operational

Comments: This incident involved a two story, approximately 30' by 35', wood framed residential rental structure. The original event consisted of a gas explosion that was followed by a fire that involved the entire structure. The property was equipped with battery powered smoke detectors but there was no reports of them activating due to the explosive event.

Fire Source

Cause of Fire: Accidental

Ignition: Gas fueled hot water heater pilot.

Material Ignited: Natural gas and other available combustibles.

Explanation:

I. INTRODUCTION:

1. On Monday, September 10, 2007, at approximately 11:08 AM, the Town of Easton Fire Department received a report of a house explosion and fire at 39 Jenny Lind Street, N. Easton. The report was received from the Easton Police Department. Easton Police was advised of the incident by Officer Steven Hamilton, who was on scene. An alarm was struck and a working fire response was dispatched under the command of Chief Thomas Stone.

2. The site of the alarm was residential rental property located on the corner of Jenny Lind Street and Seaver Street. For the purpose of this report the A side of the building is designated as the side that faces Jenny Lind Street. Arriving units discovered the structure to be collapsed and totally engulfed in fire. Prior to suppression operations the fire personnel tended to victims on the scene. The blaze required a second alarm response with additional ambulances to transport the injured parties. There were seven parties transported from the scene with injuries. At the time of this report, six victims have been released and one remains hospitalized. The explosion and fire caused extensive damage to the adjoining property at 35 Jenny Lind Street.

3. On Monday, September 10, 2007, at approximately 11:40 AM, the Massachusetts State Police (MSP) Fire and Explosion Investigation Section (F&EIS) was advised of the incident and a response was requested. Trooper Thomas Berteletti of the MSP F&EIS arrived on scene at approximately 12:15 PM and initiated an investigation into the origin and cause of the incident. Tpr. Berteletti was assisted in the investigation by Easton Fire Chief Thomas Stone, Lt. Kevin McMahon, Sgt. Jeanne Stewart, Tpr. Michael Peters and Tpr. Barry Shea, all of the MSP F&EIS. Special assistance was provided by Paul Grieco of the

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Commonwealth of Massachusetts, Department of Telecommunication & Energy. The scene was documented by photograph by Tpr. Michael Lombard of the MSP Crime Scene Services Section (CSSS)-Middleboro. As a result of this investigation, the cause of the explosion was ruled accidental. The case remains open at this time. The MSP F&EIS has retained the follow-up investigation.

II. FINDINGS:

A. BUILDING INFORMATION:

1. The site of the fire was a two story wood framed residential structure. The exterior walls were covered in vinyl siding and the gable roof was covered in asphalt shingles. The property is located on the corner of Jenny Lind Street and Seaver Street. The site was principally used as a rental property, being occupied by six male students of Stonehill College.
2. The owners of the property were identified as Robert P. Lincoln Jr. and Jennifer M. Lincoln. They were interviewed at their primary residence at 23 Seaver Street, N. Easton, at the time of the incident. Ownership of the site was executed on 5/3/99. The property has a mortgage through National City. The property was insured by Union Mutual Insurance.
3. At the time of the incident, the gas service to the building was being updated by Baystate Gas Company and their subcontractor, RJ Devereaux Corporation.

B. VICTIM INFORMATION:

1. Victim #1 was Nicholas Balsamo, a first floor resident of 39 Jenny Lind Street. He was in bed when the explosion occurred and he climbed out of the rubble. He was transported to the [REDACTED] He was treated and released that evening.
2. Victim #2 was Daniel Kavanaugh, a first floor resident of 39 Jenny Lind Street. He was in bed at the time of the explosion and he climbed out of the rubble. Kavanaugh was transported to the [REDACTED] Kavanaugh was treated and released that evening.
3. Victim #3 was John Hurley, a first floor resident of 39 Jenny Lind Street. He was sitting on his bed working on his laptop at the time of the explosion. Kavanaugh climbed out of the rubble after the explosion. He was transported to the [REDACTED]
4. Victim #4 was Matthew Tarulli, a second floor resident of 39 Jenny Lind Street. He stated, he was sitting on his computer chair in his bedroom located in the BC corner of the second floor. He ended up on the first floor after the explosion and climbed out of the debris. He was transported to the [REDACTED] He was treated and released that evening.
5. Victim #5 was John R. Kelly, an employee of Baystate Gas Company. Kelly's location at the time of the explosion is not known. He was found on Seaver Street by the C side driveway for 39 Jenny Lind Street. Kelly was [REDACTED] He has been admitted to the hospital.
6. Victim #6 was Dudley Folan, an employee of RJ Devereaux Corp. He was in the trench on the B side of the building when the explosion occurred. [REDACTED] He was treated and admitted to the hospital.

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September 12, 2007.

7. Victim #7 was Easton Police Officer Leonard Coe. Off. Coe was on detail approximately 20 feet from the house at the time of the explosion. He was transported [REDACTED] Off. Coe was treated and released from the hospital that afternoon.

C. WITNESS STATEMENTS:

1. The investigation conducted several interviews with witnesses. There were six known renters to the property. Four of those renters were home at the time of the explosion. Nicholas Balsamo was interviewed by Tpr. Shea at the [REDACTED]. He stated that he was asleep in his first floor bedroom and was awoken several times due to the construction outside. Balsamo stated that he woke up and smelled natural gas and there was an instantaneous explosion that sent him airborne. He said that he hit the ceiling and then climbed out of the rubble prior to being transported to the hospital.
2. Daniel Kavanaugh was interviewed at the [REDACTED]. Kavanaugh stated that he was asleep in his first floor bedroom prior to the explosion. He said he woke up due to the construction outside. He then moved to the living room and fell asleep on a futon. Kavanaugh woke to the explosion, climbed out of the rubble and was transported to the hospital.
3. John Hurley was interviewed at the [REDACTED]. Hurley stated he was sitting on his bed working on his laptop computer when he heard a small "psst" sound, followed by the explosion. He stated he did not smell gas prior to the explosion.
4. Matthew Tarulli was interviewed at the [REDACTED] by Lt. Kevin McMahon. Tarulli stated that he was in his bedroom on the second floor at the time of the explosion. His room is located in the BC corner of the second floor. Tarulli stated that he was sitting on his computer chair. He was aware that the Baystate Gas Company was working outside. Tarulli stated that he did not hear or smell anything prior to the explosion. He stated that he ended up on the first floor and climbed out of the debris. Tarulli stated that he noticed fire, orange-red flame, begin to burn on the opposite side of the house. The four occupants were not advised by the Gas Company that anyone was going in the residence.
5. Easton Police Officer Leonard Coe was interviewed by Tpr. Shea at the [REDACTED]. Off. Coe stated he was standing at the intersection of Jenny Lind Street and Seaver Street, approximately 30 feet from the residence when the explosion occurred. He said he had his back to the structure and was blown to the wall on the other side of Seaver Street. Off. Coe stated there was no warning, just the loud, "baboom." Coe advised that he looked back toward the house and heard screaming and thought everyone was dead.
6. Easton Police Officer Steven Hamilton was interviewed by Tpr. Berteletti on scene. Off. Hamilton was on the same detail as Off. Coe and was walking toward Off. Coe from the area of 9 Seaver Street at the time of the explosion. Off. Hamilton stated he was approximately 150 feet from the house when it exploded. He saw all the walls blow out and then the fire began quickly. Off. Hamilton heard two small explosions a couple of minutes later. He then stated he help three occupant exit the front of the house.
7. Dudley Folan, aka "Dara", was interviewed at the [REDACTED] on Wednesday, September 12, 2007, at the time of his release. Folan stated that his boss, Stephen Cassidy, had finished digging the trench at the gas service about one-half hour prior to the explosion. Folan said Cassidy went down the street and he continued to work on the trench with a shovel. Folan stated he was clearing loose dirt and small rocks from the trench. He said he had his back to the building at the time of the explosion. Folan said the curb cock was in the on position and the entire service pipe was uncovered from the curb cock to the house. He stated he did not smell or hear anything prior to the explosion.
8. Stephen Cassidy was interviewed on scene by Tpr. Berteletti. Cassidy was an employee of Devereaux Corp. and was operating the backhoe on the Seaver Street side of 39 Jenny Lind Street. He

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stated that he dug the trench next to the service line and walked down the street to check the next service. He stated the explosion was about 7-10 minutes after he finished the excavation. He said that Folan was working with a shovel in the trench and John Kelly was working at the rear of his Baystate Gas truck located approximately 50 feet from the BC corner of the residence.

9. Paul Allaire, aka "Frenchy", was interviewed on scene by Tpr. Berteletti. Allaire is an employee of Devereaux Corp. He stated that he was working down the street in front of 9 Seaver Street. Allaire stated he was moving his pick-up truck when the explosion happened. He was not sure where the other workers were.

10. Michael Fenton was interviewed on scene by Tpr. Berteletti. Fenton was an employee of Willie Mac Trucking and was driving a dump truck for Devereaux Corp. He stated that he left the site at approximately 10:30-10:40 AM and went to TL Edwards in Avon to dump a load and pick up gravel for the job. He was not there at the time of the explosion.

11. Elliott Russell was interviewed on scene by Tpr. Berteletti. Russell is a Senior Inspector for Baystate Gas Company. He stated that he left the scene at approximately 10:30 AM and went to Winter Street in Brockton to check on another job. Russell returned to 39 Jenny Lind Street after Stephen Cassidy called and told him, "We just lost the house." Russell described what was being done on the property by the workers. He was not on the site at the time of the explosion.

12. Tpr. Berteletti interviewed Robert Hennessey and Benjamin Wright on scene. Hennessey and Wright were doing carpentry work on a property at 20 Seaver Street. They stated that they heard the explosion and exited the work site and assisted the injured parties. They located Dudley Folan on the ground under the backhoe at the street side of the trench and when the fire was getting close to Folan they moved him on a sheet of plywood to the other side of the street. Hennessey and Wright also assisted one of the occupants from the BC corner of 39 Jenny Lind Street. The two men also tended to John Kelly, who was located on Seaver Street in the area of the BC corner of the structure. Hennessey and Wright stated they did not smell any gas prior to the explosion.

13. Robert Lincoln Sr. was at his son's house at 23 Seaver St. at the time of the explosion. He was interviewed at 23 Seaver St., by Tprs. Berteletti and Shea. Lincoln stated that after the explosion, he went to the Seaver Street side of 39 Jenny Lind Street. He saw one worker unconscious under the backhoe by the trench and another worker unconscious in the middle of Seaver St., by the 39 Jenny Lind St. driveway. Lincoln also saw one of the residents, Matthew Tarulli, by the wall at 20 Seaver St. He stated he walked by the work site earlier in the day with his grandson and he did not notice anything out of the ordinary. Lincoln also stated he did not notice anything unusual prior to the incident.

14. The owners of the property were Robert Lincoln Jr. and Jennifer Lincoln. Lincoln Jr. was at work in Woodstock, CT at the time of the explosion. He was advised of the incident by his wife, Jennifer. Jennifer was home at 23 Seaver St. at the time of the explosion and she did not notice anything unusual prior to the explosion. She stated that no one from the gas company advised her that the working was being done on the property.

15. Lt. Kevin McMahon interviewed the first fire personnel to arrive on scene. Captain James Walsh and FF. David Beltzer both stated they heard the explosion while at the Lothrop Street fire station. They responded to the scene in Engine #1 and arrived approximately one minute behind the Ambulance. Upon arrival, Capt. Walsh and FF. Beltzer observed the building to be fully engulfed in fire with a heavy column of dark smoke rising up over the structure. The building was on the ground at this time. FF. George Houth and FF. Darren Stone arrived on scene first in the Ambulance. They stated that upon their arrival the building had already collapsed and it was fully engulfed in fire. They tended to the injured parties immediately and reported the injuries to Capt. Walsh.

16. Tpr. Berteletti interviewed John R. Kelly at 5 Hill Street in Norton on Friday, October 5, 2007. Kelly was interviewed at his home after being released from the hospital. The interview took place in the company of Kelly's wife Margaret and his attorney, Leonard T. Evers of Cooley Manion Jones LLP. Kelly

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was an employee of Baystate Gas Company and he stated he was a Lead Fitter for the Company. Kelly and Evers began by telling Tpr. Berteletti that Kelly was suffering from Traumatic Memory Loss. Kelly stated that on the day of the incident he can't remember anything after leaving his house for work and calling into his dispatcher on his cell phone. He stated that he normally leaves his house between 7:00 and 7:30 AM. He has a homebased truck and is given daily assignments over the phone. He stated that he was told on the Friday, September 17, 2007, that he would be working in Easton on the day of the incident. Kelly stated that he has been "gas piping" for 25 years. He does not know if he had been in the basement of the house prior to the explosion. Kelly stated that he was not even sure where his truck was parked at the time of the explosion. He identified his tool bag as being a black and red "Husky" bag with a solid handle on top. Kelly stated that he would have a 14" and an 18" aluminum pipe wrench in the bag along with pipe dope, leak soap, and other smaller wrenches. He stated that he was told by other employees that a manifold for the new gas service was already hung on the exterior of 39 Jenny Lind St. He did not know who assembled the manifold or who attached it to the house. Kelly was asked about the normal procedure regarding the disconnection of the old service and he stated that he would normally shut the gas off at the high pressure cock in the basement prior to dismantling the existing service. He described the high pressure cock as being a 1/4 turn valve. Kelly also stated that he would knock on the door of the property and advise the occupants that the gas service would be out of service, prior to entering the basement. He did not remember if he did advise the occupants prior to the explosion. Tpr. Berteletti's contact numbers were given to Atty. Evers and he agreed to call Tpr. Berteletti if Kelly's regained memory regarding this incident.

D. FIRE SCENE EXAMINATION:

1. On Monday, September 10, 2007, at approximately 1:30 PM, an examination of the fire scene was conducted by Sgt. Jeanne Stewart, Tpr. Michael Peters, Tpr. Barry Shea, Tpr. Thomas Berteletti all of the MSP F&EIS, and Easton Fire Chief Thomas Stone. Special assistance was provided by Paul Grieco of the Commonwealth of Massachusetts, Department of Telecommunication & Energy. The scene was documented by photograph by Tpr. Michael Lombard of the MSP Crime Scene Services Section-Middleboro. The initial scene examination was concluded at approximately 8:00 PM and an additional scene examination was conducted on Tuesday, September 11, 2007, from approximately 8:30 AM until approximately 11:30 AM. During the time between the two scene examinations, the scene was secured by Officers of the Easton Police Department.
2. External examination of the site revealed the entire structure to have collapsed and been involved in heavy fire. This damage was consistent with the effects of an explosive event taking place in the basement area of the structure. An approximately two foot deep trench was observed on the B side of the structure near the BC corner. The trench ran from the buildings foundation to the Seaver Street curb. The trench was along the C side of the gas service for the house and the curb cock was visible but the remainder of the service pipe was still covered in soil and sod. Witness statements indicate that at the time of the explosion the Devereaux Corp. backhoe was located on Seaver Street with the backhoe arm in the area of the trench. The gas service pipe was uncovered from the curb cock to the foundation by investigators. The pipe was examined and a bent section was observed. Without further laboratory examination, it can not be determined if the bend in the pipe was present when originally installed or if it was caused by the excavation taking place beside it. The curb cock and the service pipe were later removed and secured by Easton Police Department for further testing.
3. Internal examination consisted of two objectives. The first objective was to examine the interior portion of the gas service. During the first scene examination the area around the interior manifold and the meters was delayed using heavy machinery and by hand. Some items were recovered but the basement was flooded with over three feet of water from the fire suppression. During the second scene examination the water was not present and a thorough search of the area was completed and additional sections of the gas service were identified and removed. All of the gas service sections were secured by Easton PD.
4. The second objective was to locate the possible ignition source involved in this incident. Two gas fired home heating units and two gas fueled hot water heaters were located and removed from the debris by use of heavy machinery. One Bradford-White Energy Saver hot water heater was located in the middle

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of the basement under debris. The unit was located toward the A side of the basement and it was removed. Examination of the hot water heater revealed evidence of a flash burn pattern originating at the pilot port and extending up one side of the unit. Due to this specific burn pattern and the absence of like burn patterns to other possible ignition sources in the basement, this hot water heater was determined to have been the source of ignition of the explosion. Specifically the pilot flame to the hot water heater was the ignition factor in this case.

E. SAMPLES AND ANALYSIS:

1. No samples were removed from the scene by MSP personnel for lab analysis. Recovered pieces of the pre-existing gas service from and including the curb cock to the gas meters were secured by the Easton Police Department and later transferred to the Department of Telecommunication & Energy. These items will be examined at a later date and conversation with Paul Grieco revealed that the testing may take in excess of a year to complete.

F. SECURITY:

1. The property was occupied at the time of the explosion and no security system was in use.

G. FIRE PROTECTION:

1. The property was equipped smoke detector but due to the explosive event that took place prior to the fire they were irrelevant in the investigation.

III. CONCLUSIONS:

1. Based upon the information developed through the investigation. It is this officer's opinion, that the explosion was caused by build up of natural gas in the structures basement ignited by the pilot of one of the gas fueled hot water heaters. It is further this officer's opinion, that two possible scenarios exist for the leaking of natural gas into the basement area.

Scenario #1- The excavation taking place on the B side of the building prior to the explosion caused a break and subsequent leak in the service within the basement area causing the release of natural gas into the basement area.

Scenario #2- John Kelly had begun to dismantle the service on the interior of the structure and natural gas was still actively flowing causing a release of natural gas into the basement area.

2. Neither of these scenario can be ruled out without further information or specific examination by experts. In either case this incident is being ruled an accidental ignition.

IV. RECOMMENDATIONS:

1. This officer respectfully recommends that this case:
Be closed pending any further information.

Evidence

Gathered By: Other (see comments)

Description / Explanation / Comments:

The Commonwealth of Massachusetts, Dept. of Telecommunications & Energy, Paul Grieco along with Easton Police Department secured the following: Curbcock, service pipe from curbcock to interior service, interior service including manifold and meters, other misc. debris.

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Photos

Taken By: Other (see comments)

Description / Explanation / Comments:

MSP CSSS- Middleboro, Tpr. Michael Lombard

K-9

K-9 Not Used

Occupants

Balsamo, Nicholas -- 58 Dibble Edge Road Wallingford, CT 06492
[REDACTED]

Kavanaugh, Daniel -- 25 Chimney Sweep Road Wallingford, CT 06492
[REDACTED]

Hurley, John -- 7 Woodcliff Drive Stormville, NY 12582
[REDACTED]

Tarulli, Matthew J. -- 15 Scheele Place Saddle Brook, NJ 07663
[REDACTED]

Injuries

Balsamo, Nicholas -- 58 Dibble Edge Road Wallingford, CT 06492
[REDACTED]

Kavanaugh, Daniel -- 25 Chimney Sweep Road Wallingford, CT 06492
[REDACTED]

Hurley, John -- 7 Woodcliff Drive Stormville, NY 12582
[REDACTED]

Tarulli, Matthew J. -- 15 Scheele Place Saddle Brook, NJ 07663
[REDACTED]

Kelly, John R. -- 5 Hill Street Norton, MA 02766
[REDACTED]

Folan, Dudley -- 182 Central Street Weymouth, MA 02190
[REDACTED]

Coe, Leonard Police Officer -- Easton Police Dept., 46 Lathrop Street N. Easton, MA 02356
[REDACTED]

Owner

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Lincoln, Robert P. Jr -- 23 Seaver Street N. Easton, MA 02356
[REDACTED]

Lincoln, Jennifer M. -- 23 Seaver Street N. Easton, MA 02356
[REDACTED]

Reported By

Hamilton, Steven Police Officer -- Easton Police Dept., 46 Lathrop Street N. Easton, MA 02356
[REDACTED]

Discovered By

Hamilton, Steven Police Officer -- Easton Police Dept., 46 Lathrop Street N. Easton, MA 02356
[REDACTED]

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Witnesses

Balsamo, Nicholas -- 58 Dibble Edge Road Wallingford, CT 06492
[REDACTED]

Kavanaugh, Daniel -- 25 Chimney Sweep Road Wallingford, CT 06492
[REDACTED]

Hurley, John -- 7 Woodcliff Drive Stormville, NY 12582
[REDACTED]

Tarulli, Matthew J. -- 15 Scheele Place Saddle Brook, NJ 07663
[REDACTED]

Folan, Dudley -- 182 Central Street Weymouth, MA 02190
[REDACTED]

Coe, Leonard Police Officer -- Easton Police Dept., 46 Lathrop Street N. Easton, MA 02356
DOB: Unknown, SSN: Unknown, Phone: Unknown

Hamilton, Steven Police Officer -- Easton Police Dept., 46 Lathrop Street N. Easton, MA 02356
DOB: Unknown, SSN: Unknown, Phone: Unknown

Lincoln, Jennifer M. -- 23 Seaver Street N. Easton, MA 02356
[REDACTED]

Lincoln, Robert P. Sr. -- 185 Prospect St. S. Easton, MA 02375
[REDACTED]

Wright, Benjamin S. -- 32 Carlton St. Whitman, MA 02382
[REDACTED]

Russell, Elliott F. -- 24 Cosma Road N. Easton, MA 02356
[REDACTED]

Hennessey, Robert P. -- 370 Franklin St. Hanson, MA 02341
[REDACTED]

Fenton, Michael D. -- 971 Washington St. Stoughton MA 02072
[REDACTED]

Allaire, Paul L. -- 10 Corrine St. Worcester, MA 01604
[REDACTED]

Cassidy, Stephen -- 98 Lake St. Weymouth, MA 02189
[REDACTED]

EXHIBIT 3

Easton Fire Department Report

For Date: 09/10/2007 - Monday

<u>l Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
07-2266	1108	911 - GAS ODOR/LEAK/INVESTIGATION	Extinguished	1	
Call Taker:		JWALSH - WALSH, JAMES			
Call Closed By:		JTULLY - TULLY, JAMES	09/10/2007 1812		
Call Modified By:		JTULLY - TULLY, JAMES			
Location/Address:		39 JENNY LIND ST			
Fire Unit:		ENG4-Pumper-Engine 4			
		Disp-11:08:00			Clrd-16:01:31
		InSrvce-16:20:57			
Manned By ID's:		JDAVEY JBELTRA			
Dispatched By:		JTULLY - TULLY, JAMES			
Cleared By:		JTULLY - TULLY, JAMES			
Fire Unit:		ENG1-Pumper-Engine 1			
		Disp-11:08:00	Arvd-11:12:28		Clrd-21:10:34
		InQrtsUnavl-21:18:11	InSrvce-21:10:22		
Manned By ID's:		JWALSH DBETZER			
Dispatched By:		JTULLY - TULLY, JAMES			
Arrived By:		JTULLY - TULLY, JAMES			
Cleared By:		JTULLY - TULLY, JAMES			
EMS Unit:		AMB1-Ambulance 1			
		Disp-11:08:00			Clrd-16:10:44
		InSrvce-16:20:09			
Manned By ID's:		GHOUTH DSTONE			
Dispatched By:		JTULLY - TULLY, JAMES			
Cleared By:		JTULLY - TULLY, JAMES			
Fire Unit:		MANENG-Pumper-Mansfield Engine			
		Disp-11:10:00			Clrd-16:21:00
		InSrvce-16:21:00			
Dispatched By:		JTULLY - TULLY, JAMES			
Fire Unit:		SHAENG-Pumper-Sharon Engine			
		Disp-11:10:00			Clrd-14:30:00
		InSrvce-14:30:00			
Dispatched By:		JTULLY - TULLY, JAMES			
Fire Unit:		STOLAD-Aerial-Stoughton Ladder			
		Disp-11:10:00			Clrd-14:35:00
		InSrvce-14:35:00			
Dispatched By:		JTULLY - TULLY, JAMES			
Fire Unit:		WBWENG-Pumper-West Bridgewater Engine			
		Disp-11:10:00			Clrd-15:09:00
		InSrvce-15:09:00			
Dispatched By:		JTULLY - TULLY, JAMES			
Fire Unit:		NORENG-Pumper-Norton Engine			
		Disp-11:10:00			Clrd-14:51:00
		InSrvce-14:51:00			
Dispatched By:		JTULLY - TULLY, JAMES			
Fire Unit:		BROLAD-Aerial-Brockton Ladder			
		Disp-11:10:00			Clrd-14:47:00
		InSrvce-14:47:00			
Dispatched By:		JTULLY - TULLY, JAMES			
EMS Unit:		BROAMB-Brockton Ambulance			
		Disp-11:22:00			Clrd-14:25:00
		InSrvce-14:25:00			
Dispatched By:		JTULLY - TULLY, JAMES			
EMS Unit:		CANAMB-Canton Ambulance			
		Disp-11:24:00	Arvd-11:36:00		Clrd-11:47:00
		Hosp-12:09:00	ClrHosp-13:11:00	InSrvce-13:11:00	
Dispatched By:		JTULLY - TULLY, JAMES			
EMS Unit:		NORAMB-Norton Ambulance			
		Disp-11:23:00	Arvd-11:36:00		Clrd-11:58:00
		InSrvce-11:58:00			
Dispatched By:		JTULLY - TULLY, JAMES			
EMS Unit:		STOAMB-Stoughton Ambulance			
		Disp-11:22:00	Arvd-11:32:00		Clrd-11:54:00
		Hosp-12:04:00	ClrHosp-13:12:00	InSrvce-13:12:00	
Dispatched By:		JTULLY - TULLY, JAMES			
EMS Unit:		STOAMB-Stoughton Ambulance			
		Disp-11:22:00	Arvd-11:32:00		Clrd-11:44:00
		Hosp-11:50:00	ClrHosp-13:12:00	InSrvce-13:12:00	

Dispatched By: JTULLY - TULLY, JAMES
Fire Unit: CAR1-Command-Chief's Car
Disp-11:08:00 Clrd-21:07:33
InSrvce-21:07:33

Manned By ID's: TSTONE
Dispatched By: JTULLY - TULLY, JAMES
Fire Unit: LAD1-Aerial-Ladder 1
Disp-11:18:00 Clrd-15:52:00
InSrvce-15:52:00

Manned By ID's: MGREENE TNICHOL
Dispatched By: JTULLY - TULLY, JAMES
Fire Unit: SPECOPS-Support-AIR SUPPLY/DIVE SUPPORT
Disp-11:25:00 Clrd-15:54:00
InSrvce-15:54:00

Manned By ID's: LBLYE
Dispatched By: JTULLY - TULLY, JAMES
Fire Unit: FF2-Brush-Forest Fire 2
Disp-11:27:00 Clrd-20:07:00
InQrtsUnavl-20:11:00 InSrvce-20:07:00

Manned By ID's: WWOLFFE
Dispatched By: JTULLY - TULLY, JAMES
Narrative: 09/10/2007 1417 WALSH, JAMES
Modified By: 09/10/2007 2253 WALSH, JAMES

Received a call from the police on scene reporting an explosion with fire in the vicinity of 20 Seaver Street. Engines 1, Engine #4 and Ambulance #1 responded. Box 8 struck for coverage. While in route, report received that building was fully involved. Capt Walsh requested a Second Alarm. Norfolk County Control notified and sent Sharon, Norton and West Bridgewater Engines with Brockton and Stoughton Ladders to the scene with a Mansfield Engine to Easton Station 1 for coverage. Four additional Ambulances were then requested and Norfolk County Control dispatched Brockton AMR, Canton, Norton and 2 Stoughton Ambulances, all ALS. On arrival crews found the house at 39 Jenny Lind St. fully involved in fire and appeared to have exploded with debris from the house spread over the area. Six victims on scene treated and transported to Hospital. Engine #1 set up a deck gun and advanced three 1 3/4" handline's on fire and D side exposure building. Engine #4 set up deck gun and portable quick attack ground monitor on B side of fire building. Hose lines also advanced into 35 Jenny Lind St. the D-side exposure house. Gas company on scene shut off gas to area. National Grid on scene and shut power off to area. Crews extinguished fire with the assistance of off duty Easton Firefighter's and mutual aid companies.

Refer To Fire Case: 07-11-IN

Easton Fire Department
Incident Report

Page: 1
09/18/2007

Incident #: 07-11-IN Exp. 0
Call #: 07-2266

Location: 39 JENNY LIND ST
NORTH EASTON, MA 02356

Census Tract: 6001-
District: District 1 (STA 1)
Station: All 3 Stations

Report By: STONE, THOMAS on 09/10/2007
Approved By: STONE, THOMAS on 09/10/2007

Basic Incident Information

Incident Type: Building fire
Property Use: 1 or 2 family dwelling
Mixed Use Property: Not mixed use
Actions Taken: Rescue, remove from harm
Extinguish
Salvage & overhaul
Detector: Unknown
HazMat Release: Natural gas: slow leak, no evac. or hazmat actions
Owner: MR ROBERT P LINCOLN
39 JENNY LIND ST
NORTH EASTON, MA 02356
Phone #: 508-238-4912

Property Loss: \$333750
Contents Loss: \$166875

Pre-Incident Value: \$333750
Pre-Incident Value: \$166875

Resources Used Summary

Alarm: 09/10/2007 @ 1108
Controlled: 09/10/2007 @ 1215

Arrived: 09/10/2007 @ 1112
Cleared: 09/10/2007 @ 2110

Shift: 1

Alarms: 2

Aid: Mutual aid received

Apparatus
Suppression: 5
EMS: 2
Other: 2

Personnel
Suppression: 8
EMS: 3
Other: 2

Casualties Summary

Deaths
Fire Service: 0
Civilian: 0

Injuries
Fire Service: 0
Civilian: 6

Easton Fire Department
Incident Report

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Incident #: 07-11-IN Exp. 0
Call #: 07-2266

#	People and Entities Involved	Type	Sex	Age	Home #	Work #
1	MR ROBERT P LINCOLN 23 SEAVER ST NORTH EASTON, MA 02356	Other	M	40	508-238-4912	860-928-2766

Mr. Robert P. Lincoln Jr. owns the property at 39 Jenny Lind Street.
Mr. Lincoln rented the property to 6 Stonehill College Students. Mr. Lincoln resides at 23 Seaver Street.

Fire

Buildings involved: 1
Residential living units: 2
Acres Burned:

Area of origin: Heating room or area, water heat
Cause of ignition: Unintentional
Heat source: Spark, ember or flame from opera
Item first ignited: Flammable liquid/gas - uncontained
Type of material: Natural gas
1st Contributing Ignition Factor: Leak or break
2nd Contributing Ignition Factor:

Human factors contributing to ignition: None

Fire suppression factors: Natural or other lighter than air gas present
Roof collapse
Wall collapse

Equipment involved in ignition: Water heater
Power: Natural gas or other lighter than air gas
Portability: Stationary

Mobile Property Involved: None

Pre-fire plan available: No

Massachusetts State Fire Marshal's office (Southeast unit) called to the scene to investigate. They should have a detailed report when completed

Easton Fire Department
Incident Report

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09/18/2007

Incident #: 07-11-IN Exp. 0
Call #: 07-2266

6 Trauma

M 21 09/10/2007 @ 1112 09/10/2007 @ 1140

Race: White
Other factor: Accidental
Patient status: Improved
Disposition: FD transport to Emergency Ca

Ethnicity: Other
Cause of injury: Building collapse/constructi
Pulse on transfer: Pulse on transfer

Body site of injury - Injury type
Multiple body parts - Soft tissue swelling

Procedures used: EKG monitoring, Oxygen therapy, Spinal immobilization

#	Apparatus	Type	Dates/Times	Per Use	Actions Taken
1	Ambulance 1 AMB1	Medical & rescue uni	Disp 09/10/2007 @ 1108 InSv 09/10/2007 @ 1620	2	EMS
2	Brockton Ambulance BROAMB	Medical & rescue uni	Disp 09/10/2007 @ 1122 InSv 09/10/2007 @ 1425	1	EMS
3	Brockton Ladder BROLAD	Truck or aerial	Disp 09/10/2007 @ 1110 InSv 09/10/2007 @ 1447	1	Suppr
4	Chief's Car CARI	Mobile command post	Disp 09/10/2007 @ 1108 InSv 09/10/2007 @ 2107	1	Other
5	Engine 1 ENG1	Engine	Disp 09/10/2007 @ 1108 Arr 09/10/2007 @ 1112 Clr 09/10/2007 @ 2110 InQt 09/10/2007 @ 2118 InSv 09/10/2007 @ 2110	2	Suppr
6	Engine 4 ENG4	Engine	Disp 09/10/2007 @ 1108 InSv 09/10/2007 @ 1620	2	Suppr
7	Forest Fire 2 FF2	Brush truck	Disp 09/10/2007 @ 1127 InQt 09/10/2007 @ 2011 InSv 09/10/2007 @ 2007	1	Suppr
8	Ladder 1 LAD1	Truck or aerial	Disp 09/10/2007 @ 1118 InSv 09/10/2007 @ 1552	2	Suppr
9	AIR SUPPLY/DIVE SUPP SPECOPS	Support apparatus, o	Disp 09/10/2007 @ 1125 InSv 09/10/2007 @ 1554	1	Other

Easton Fire Department
Incident Report

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09/18/2007

Incident #: 07-11-IN Exp. 0
Call #: 07-2266

#	ID	Personnel	Start	End	Dty	Station	App
1	DBETZER	BETZER, DAVID W.	09/10/2007 @ 1108	09/10/2007 @ 2110	FF	STA1	ENG1
2	LBLYE	BLYE, LAWRENCE R.	09/10/2007 @ 1125	09/10/2007 @ 1554	OF	STA1	LAD1
3	FCHUTE	CHUTE, FRED M.	09/10/2007 @ 1108	09/10/2007 @ 2110	OF	STA1	LAD1
4	JDAVEY	DAVEY, JAMES	09/10/2007 @ 1108	09/10/2007 @ 1620	FF	STA2	ENG4
5	MGREENE	GREENE, MICHAEL	09/10/2007 @ 1118	09/10/2007 @ 1552	OF	STA1	LAD1
6	GHOUTH	HOUTH, GEORGE N.	09/10/2007 @ 1108	09/10/2007 @ 1620	FF	STA3	AMB1
7	BMCCART	MCCARTHY, BRENDAN	09/10/2007 @ 1108	09/10/2007 @ 2110	OF	STA1	SPECOPS
8	PMCGOVE	McGovern, Patrick J.	09/10/2007 @ 1108	09/10/2007 @ 2110	OF	STA1	SPECOPS
9	DMCRAE	MCRAE, DAVID	09/10/2007 @ 1108	09/10/2007 @ 2110	OF	STA2	FF2
10	CMILLS	MILLS, CHRISTOPHER	09/10/2007 @ 1108	09/10/2007 @ 2110	OF	STA1	SPECOPS
11	TNICHOL	NICHOLSON, THOMAS E.	09/10/2007 @ 1118	09/10/2007 @ 1552	OF	STA1	LAD1
12	DSTONE	Stone, Darren T.	09/10/2007 @ 1108	09/10/2007 @ 1620	FF	STA3	AMB1
13	TSTONE	STONE, THOMAS	09/10/2007 @ 1108	09/10/2007 @ 2107	CO	ALLSTA	CAR1
14	TVAMOSI	VAMOSI, TIMOTHY	09/10/2007 @ 1108	09/10/2007 @ 2110	OF	STA1	SPECOPS
15	JWALSH	WALSH, JAMES E.	09/10/2007 @ 1108	09/10/2007 @ 2110	FF	STA1	ENG1
16	WWOLFFE	WOLFFE, WILLIAM J.	09/10/2007 @ 1127	09/10/2007 @ 2007	OF	STA2	FF2

State

Critical incident: No

Insurance company: Union Mutual Insurance Co

Total amount:500550

Incident #: 07-11-IN Exp. 0
Call #: 07-2266

The Easton Fire Department received a call from an Easton Police detail officer (Officer Steve Hamilton) reporting an explosion and fire at corner of Seaver and Jenny Lind Streets. The officer also stated that people were injured. A Second Alarm assignment was requested to the scene (by Captain Walsh) prior to arrival.

On arrival, we found that the two-story wood-frame 2-family dwelling located at 39 Jenny Lind Street had been damaged by an explosion. The severely damaged house was also fully involved in fire. There was a serious exposure problem on the "Delta" side of the house (35 Jenny Lind Street). There was a total of six people injured requiring medical attention and reports (from officer Hamilton) that as many as four people still remained in the burning house.

The first arriving engines (E-1 & E-4) applied water to the fire via master streams (Deluge Guns). Engine # 1 was fed water from a hydrant opposite 39 Jenny Lind Street. Engine # 4 established a water supply from a hydrant on Reynolds Street near Seaver Street. The crew on Ambulance # 1 (returning from a previous medical call) assessed the injured and set up an initial treatment site on the front lawn of 24 Seaver Street (beyond the fire). The two master streams stayed in operation until the main body of fire was knocked down (approximately 20 minutes) and then several hand-lines were put in operation to fully extinguish the fire. Ladder # 1 set up on Jenny Lind St. to protect the exposed house (35 Jenny Lind).

The second alarm mutual aid companies performed the following tasks;

- Brockton Ladder crew - stretched a hand-line into 35 Jenny Lind to search for victims and fire extension.
- Stoughton Ladder crew - operated a hand-line on the "C" side concentrating on 3 burning vehicles in the driveway.
- Sharon Engine crew operated a hand-line on the "D" side of the building.
- West Bridgewater Engine crew layed a feed line down Jenny Lind and fed units on the "D" side.
- Norton Engine crew helped evacuate residents and check homes for natural gas presence.

A Nationalgrid response crew shut off the power to the neighborhood (there were live wires down). A Bay State Gas Company response crew shut the gas main feed off to the neighborhood.

Mutual aid ambulance crews performed the following tasks;

- Stoughton A-1 crew established a treatment center behind 219 Main Street. They treated and transported three patients to the Good Samaritan Medical Center.
- Stoughton A-2 crew treated and transported one patient from the Seaver St. treatment area to the Good Samaritan Medical Center. (Patient transferred to Massachusetts General Hospital).
- Norton A-1 crew treated and transported one patient from the Seaver St. treatment area to Brigham & Women's Hospital.
- Canton A-1 crew treated and transported one patient from the Seaver St. treatment area to the Brigham & Women's Hospital.

The State Fire Marshal's Office was called and the following investigators responded to the scene; Sgt. Jeane Stewart, Troopers Tom Berteletti, Mike Peters, and Barry Shea.

The following were requested to or responded to the scene; Department of Public Utilities, Department of Telecommunications and Energy, OSHA, Bay State Gas Representatives, Nationalgrid Representatives, Easton Building Inspector Mark Trivett, Easton DPW (Front-end Loader & Lighting unit), Region 5 Medical Director

Easton Fire Department
Incident Report

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09/24/2007

Incident #: 07-11-IN Exp. 0
Call #: 07-2266

Fred Fowler.

All area homes were checked and cleared for the presense of natural gas. Several nearby homes suffered damage from the explosion (11 Seaver St., 20 Seaver St., 22 Seaver St., 24 Seaver St., 35 Jenny Lind St., 32 Jenny Lind St., 30 Jenny Lind St., 31 Jenny Lind St., 22 Reynolds St., 24 Reynolds St.)

The building inspector determined that all homes were habitable except for 35 Jenny Lind Street. 39 Jenny Lind Street (where the explosion originated was completely destroyed.

Three vehicles parked in the driveway of 39 Jenny Lind St. were also heavily damaged. The vehicles are as follows;

White - 2002 Chevy Cavalier Vin # 1G1JC524427224240 Connecticut Reg. # TY 1388
Owner - Timothy J. Kavanaugh 25 Chimney Sweep Rd., Wallingford, CT 06492 (Arbella Ins. Pol. # ALT0049309)

Grey Audi A4 - Vin # WAULC68E24A026538 New Jersey Reg. # RRV 81L

Jack 2003 Nissan Sentra - Vin # 3N1AB51D13L718731 New York Reg. # BXF 3652
Owner - John E. Hurley 7 Woodcliff Dr., Stormville, NY 12582 (Libert Mutual Pol. # A02-228-3199520-90-4)

The cause of the explosion and fire is still under investigation as of 09/18/2007. The incident appears to be accidental. There was no evidence of foul play or criminal act. There was a catastrophic release of natural gas into the basement of 39 Jenny Lind Street. Several items were removed from the scene by the fire marshal's crew for futher examination (parts of a gas meter, several pieces of piping, several pices of pipe fittings, joints, etc.)

The source of ignition was determined to be the pilot light on one of two properly operating gas fired hot water heaters located in the basement.

A FDID 05088 State MA Incident Date 09/10/2007 Station ALLSTA Incident Number 11 Exposure 0

Delete Change No Activity

NFIRS - 1 Basic

Location Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in Section B "Alternative Location Specification. Use only for Wildland fires."

Street address Intersection In front of Rear of Adjacent to Directions

Number/Milepost 39 Prefix JENNY LIND Street Type ST Suffix

Apt./Suite/Room City NORTH EASTON State MA Zip Code 02356

Census Tract 6001

Cross street or directions, as applicable

C Incident Type Building fire

D Aid Given or Received

Mutual aid received
 Automatic aid recv.
 Mutual aid given
 Automatic aid given
 Other aid given
 None

Their FDID Their State
 Their Incident Number

E1 Dates & Times Midnight is 0000

Month Day Year Hour Min
 Alarm 09/10/2007/1108
 ARRIVAL required, unless canceled or did not arrive
 Arrival 09/10/2007/1112
 CONTROLLED optional, except for wildland fires
 Controlled 09/10/2007/1215
 LAST UNIT CLEARED, required except for wildland fires
 Last Unit Cleared 09/10/2007/2110

E2 Shifts & Alarms Local Option

Shift or platoon 1 Alarms 2 District 01

E3 Special Studies Local Option

Special Study ID# Special Study Value

F Actions Taken

22 Rescue, remove from harm
 Primary Action Taken (1)

11 Extinguish
 Additional Action Taken (2)

12 Salvage & overhaul
 Additional Action Taken (3)

G1 Resources

Check this box and skip this section if an Apparatus or Personnel form is used.

Apparatus Personnel
 Suppression 5 8
 EMS 2 3
 Other 2 2

Check box if resource counts include aid received resources.

G2 Estimated Dollar Losses & Values

LOSSES: Required for all fires if known, Optional for non fires. None

Property \$ 333,750
 Contents \$ 166,875

PRE-INCIDENT VALUE: Optional

Property \$ 333,750
 Contents \$ 166,875

Completed Modules

Fire-2
 Structure-3
 Civilian Fire Cas.-4
 Fire Serv. Casualty-5
 EMS-6
 HazMat-7
 Wildland Fire-8
 Apparatus-9
 Personnel-10
 Arson-11

H1 Casualties None

Deaths Injuries
 Fire Service 0 0
 Civilian 0 6

H2 Detector Required for confined fires.

Detector alerted occupants
 Detector did not alert them
 Unknown

H3 Hazardous Materials Release

None

Natural gas: slow leak, no evacuation or HazMat actions
 Propane gas: <21 lb. tank (as in home BBQ grill)
 Gasoline: vehicle fuel tank or portable container
 Kerosene: fuel burning equipment or portable storage
 Diesel fuel/fuel oil: vehicle fuel or portable storage
 Household solvents: home/office spill, cleanup only
 Motor oil: from engine or portable container
 Paint: from paint cans totaling <55 gallons
 Other: Special HazMat actions required or spill > 55 gal.. Please complete the HazMat form

Mixed Use Property

Not mixed
 Assembly Use
 Education use
 Medical use
 Residential use
 Row of stores
 Enclosed mall
 Business & residential
 Office use
 Industrial use
 Military use
 Farm use
 Other mixed use

J Property Use Structures

131 Church, place of worship
 161 Restaurant or cafeteria
 162 Bar/tavern or nightclub
 213 Elementary school or kindergart.
 215 High school or junior high
 241 College, adult ed.
 311 Care facility for the aged
 331 Hospital

Outside

124 Playground or park
 655 Crops or orchard
 669 Forest (timberland)
 807 Outdoor storage area
 919 Dump or sanitary landfill
 931 Open land or field

341 Clinic, clinic type infirmary
 342 Doctor/dentist office
 361 Prison or jail, not juvenile
 419 1- or 2- family dwelling
 429 Multi-family dwelling
 439 Rooming/boarding house
 449 Commercial hotel or motel
 459 Residential, board and care
 464 Dormitory/barracks
 519 Food and beverage sales

936 Vacant lot
 938 Graded/cared for plot of land
 946 Lake, river, stream
 951 Railroad right of way
 960 Other street
 961 Highway/divided highway
 962 Residential street/driveway

539 Household goods, sales, repairs
 579 Motor vehicle/boat sales/repairs
 571 Gas or service station
 599 Business office
 615 Electric generating plant
 629 Laboratory/science lab
 700 Manufacturing plant
 819 Livestock/poultry storage (barn)
 882 Non-residential parking garage
 891 Warehouse

981 Construction site
 984 Industrial plant yard

Look up and enter a Property Use code only if you have NOT checked a Property Use box

Property Use

A FDID: 05088 State: MA Incident Date: MM 09 DD 10 YYYY 2007 Station: ALLSTA 07- Incident Number: 11 -IN Exposure: 0

Delete Change No Activity

NFIRS - 1 Basic

1 Person/Entity Involved Local Option: Business name (if applicable): _____ Area Code: 508 Phone Number: 238-4912

Check this box if same address as incident location. Then skip these three duplicate address lines.

Mr., Ms., Mrs.: MR First Name: ROBERT MI: P Last Name: LINCOLN Suffix: _____

Number: 23 Prefix: _____ Street or Highway: SEAVER Street Type: ST Suffix: _____

Post Office Box: _____ Apt./Suite/Room: _____ City: NORTH EASTON

State: MA Zip Code: 02356 - _____

K2 Owner Local Option: Same as person involved? Business name (if applicable): _____ Area Code: 508 Phone Number: 238-4912

Check this box if same address as incident location. Then skip the three duplicate address lines.

Mr., Ms., Mrs.: MR First Name: ROBERT MI: P Last Name: LINCOLN Suffix: _____

Number: 39 Prefix: _____ Street or Highway: JENNY LIND Street Type: ST Suffix: _____

Post Office Box: _____ Apt./Suite/Room: _____ City: NORTH EASTON

State: MA Zip Code: 02356 - _____

L Remarks: Local Option

M Authorization

Officer in charge ID: TSTONE Signature: _____ Position or rank: CHIEF Assignment: CO Month: 09 Day: 10 Year: 2007

Check box if same as Officer in charge. Member making report ID: TSTONE Signature: _____ Position or rank: CHIEF Assignment: CO Month: 09 Day: 10 Year: 2007

I1 Structure Type ☆ <small>If fire was in an enclosed building or a portable/mobile structure complete the rest of this form</small> 1 <input checked="" type="checkbox"/> Enclosed building 2 <input type="checkbox"/> Portable/mobile structure 3 <input type="checkbox"/> Open structure 4 <input type="checkbox"/> Air supported structure 5 <input type="checkbox"/> Tent 6 <input type="checkbox"/> Open platform (e.g. piers) 7 <input type="checkbox"/> Underground structure (work areas) 8 <input type="checkbox"/> Connective structure (e.g. fences) 0 <input type="checkbox"/> Other type of structure	I2 Building Status ☆ 1 <input type="checkbox"/> Under construction 2 <input checked="" type="checkbox"/> Occupied & operating 3 <input type="checkbox"/> Idle, not routinely used 4 <input type="checkbox"/> Under major renovation 5 <input type="checkbox"/> Vacant and secured 6 <input type="checkbox"/> Vacant and unsecured 7 <input type="checkbox"/> Being demolished 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	I3 Building Height ☆ <small>Count the ROOF as part of the highest story</small> <u>2</u> <small>Total number of stories at or above grade</small> <u>1</u> <small>Total number of stories below grade</small>	I4 Main Floor Size ☆ <small>Total square feet</small> _____, _____, _____ OR <u>6,0</u> BY <u>6,0</u> <small>Length in feet Width in feet</small>
--	--	---	--

J1 Fire Origin ☆ <u>1</u> <small>Story of fire origin</small> <input checked="" type="checkbox"/> Below grade	J3 Number of Stories Damaged By Flame ☆ <small>Count the ROOF as part of the highest story</small> <u> </u> Number of stories w/ minor damage (1 to 24% flame damage) <u> </u> Number of stories w/ significant damage (25 to 49% flame damage) <u>1</u> Number of stories w/ heavy damage (50 to 74% flame damage) <u>2</u> Number of stories w/ extreme damage (75 to 100% flame damage)	K Material Contributing Most To Flame Spread ☆ <input type="checkbox"/> Check if no flame spread OR same as material first ignited OR unable to determine Skip to Section L K1 <u>1,0</u> Structural component or finish, other item contributing most to flame spread K2 <u>6,3</u> Sawn wood, including all finished lumber <small>Type of material contributing most to flame spread Required only if item contributing code is 00 or <70.</small>
J2 Fire Spread ☆ 2 <input type="checkbox"/> Confined to room of origin 3 <input type="checkbox"/> Confined to floor of origin 4 <input type="checkbox"/> Confined to building of origin 5 <input checked="" type="checkbox"/> Beyond building of origin		

L1 Presence of Detectors ☆ <small>(In area of the fire)</small> N <input type="checkbox"/> None Present Skip to section M 1 <input type="checkbox"/> Present U <input checked="" type="checkbox"/> Undetermined	L3 Detector Power Supply ☆ 1 <input type="checkbox"/> Battery only 2 <input type="checkbox"/> Hardwire only 3 <input type="checkbox"/> Plug in 4 <input type="checkbox"/> Hardwire with battery 5 <input type="checkbox"/> Plug in with battery 6 <input type="checkbox"/> Mechanical 7 <input type="checkbox"/> Multiple detectors & power supplies 0 <input type="checkbox"/> Other _____ U <input checked="" type="checkbox"/> Undetermined	L5 Detector Effectiveness ☆ <small>Required if detector operated</small> 1 <input type="checkbox"/> Alerted occupants, occupants responded 2 <input type="checkbox"/> Occupants failed to respond 3 <input type="checkbox"/> There were no occupants 4 <input type="checkbox"/> Failed to alert occupants U <input type="checkbox"/> Undetermined
L2 Detector Type ☆ 1 <input type="checkbox"/> Smoke 2 <input type="checkbox"/> Heat 3 <input type="checkbox"/> Combination smoke - heat 4 <input type="checkbox"/> Sprinkler, water flow detection 5 <input type="checkbox"/> More than 1 type present 0 <input type="checkbox"/> Other _____ U <input checked="" type="checkbox"/> Undetermined	L4 Detector Operation ☆ 1 <input type="checkbox"/> Fire too small to activate 2 <input checked="" type="checkbox"/> Operated Complete Section L5 3 <input type="checkbox"/> Failed to operate Complete Section L6 U <input checked="" type="checkbox"/> Undetermined	L6 Detector Failure Reason ☆ <small>Required if detector failed to operate</small> 1 <input type="checkbox"/> Power failure, shutoff or disconnect 2 <input type="checkbox"/> Improper installation or placement 3 <input type="checkbox"/> Defective 4 <input type="checkbox"/> Lack of maintenance, includes cleaning 5 <input type="checkbox"/> Battery missing or disconnected 6 <input type="checkbox"/> Battery discharged or dead 0 <input type="checkbox"/> Other _____ U <input type="checkbox"/> Undetermined

M1 Presence of Automatic Extinguishment System ☆ N <input checked="" type="checkbox"/> None Present Complete rest of Section M 1 <input type="checkbox"/> Present U <input type="checkbox"/> Undetermined	M3 Automatic Extinguishment System Operation ☆ <small>Required if fire was within designed range</small> 1 <input type="checkbox"/> Operated & effective (go to M4) 2 <input type="checkbox"/> Operated & not effective (M4) 3 <input type="checkbox"/> Fire too small to activate 4 <input type="checkbox"/> Failed to operate (go to M5) 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	M5 Automatic Extinguishment System Failure Reason ☆ <small>Required if system failed</small> 1 <input type="checkbox"/> System shut off 2 <input type="checkbox"/> Not enough agent discarded 3 <input type="checkbox"/> Agent discharged but did not reach fire 4 <input type="checkbox"/> Wrong type of system 5 <input type="checkbox"/> Fire not in area protected 6 <input type="checkbox"/> System components damaged 7 <input type="checkbox"/> Lack of maintenance 8 <input type="checkbox"/> Manual intervention 0 <input type="checkbox"/> Other _____ U <input type="checkbox"/> Undetermined
M2 Type of Automatic Extinguishment System ☆ <small>Required if fire was within designed range of AES</small> 1 <input type="checkbox"/> Wet pipe sprinkler 2 <input type="checkbox"/> Dry pipe sprinkler 3 <input type="checkbox"/> Other sprinkler system 4 <input type="checkbox"/> Dry chemical system 5 <input type="checkbox"/> Foam system 6 <input type="checkbox"/> Halogen type system 7 <input type="checkbox"/> Carbon dioxide (CO2) system 0 <input type="checkbox"/> Other special hazard system U <input type="checkbox"/> Undetermined	M4 Number of Sprinkler Heads Operating ☆ <small>Required if system operated</small> <u> </u> <small>Number of sprinkler heads operating</small>	

EXHIBIT 4

Bay State Gas Incident Report

The Commonwealth of Massachusetts

Department of Public Utilities

Company: BAY STATE GAS COMPANY

Date: September 10, 2007

Report of Utilities Service IncidentType of Incident: Outage **Accident** Other EVACUATION

Service Affected: GAS

Location of Incident:

Initial Outage: 12:10 PM

39 JennyLind Street, North Easton, Mass.

Date and Time of Incident:

Service Restored: 10:00 PM

September 10, 2007 @ 11:00 AM-Approximately

Description of Incident:

Explosion of residential home which resulted in evacuation of area, in-patient hospitalization of two people and interruption of service to 62 customers

Personal Injury or Property Damage:

Property damage to 39 Jenny Lind Street and some adjacent homes. Damages still being investigated and adjusted. Total unknown at this time.

Duration of Incident:

11 hours

Customers Affected: 62 customers

Customer Hours: 682 Hours

Comments:

Date Reported: 9/10/2007

Reported By: Melanie Blood

Time Reported: 11:40 AM

Received By: Paul Grieco

EXHIBIT 5

Photo 39 Jenny Lind Street



EXHIBIT 6

Photo 35 Jenny Lind Street



EXHIBIT 7

Photos of Rock





EXHIBIT 8

System Pressure

From:

09/10/2007
11:32

Bay State Gas SCADA System
Hourly Log

Log 2 - Pg 15 of 18
Gas Day: 09/09/2007

Hour	MDFLD		WALPOL		RANDUPH		SCIT		NANSH		PEMBRK		PORTER		SHRN		HUNRCK	
	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW
11:00	60	60	62	61	63	62	51	50	51	50	51	50	60	59	0	0	51	50
12:00	60	60	61	61	62	62	50	50	51	51	51	51	59	59	0	0	51	51
13:00	60	60	62	62	62	62	51	51	51	51	52	52	59	59	0	0	51	51
14:00	60	60	62	62	63	63	52	52	52	52	52	52	59	59	0	0	52	52
15:00	61	61	62	62	63	63	52	52	52	52	52	52	60	60	0	0	52	52
16:00	61	61	62	62	63	63	52	52	52	52	52	52	60	60	0	0	52	52
17:00	61	61	62	62	63	63	51	51	51	51	52	52	60	60	0	0	52	52
18:00	61	61	62	62	63	63	51	51	51	51	52	52	60	60	0	0	51	51
19:00	61	61	62	62	63	63	50	50	50	50	51	51	59	59	0	0	51	51
20:00	60	60	61	61	62	62	50	50	50	50	51	51	59	59	0	0	51	51
21:00	61	61	62	62	63	63	50	50	50	50	51	51	59	59	0	0	51	51
22:00	61	61	62	62	63	63	52	52	52	52	52	52	60	60	0	0	52	52
23:00	62	62	63	63	64	64	53	53	53	53	54	54	61	61	0	0	53	53
0:00	63	63	64	64	65	65	54	54	54	54	55	55	62	62	0	0	54	54
1:00	63	63	65	65	66	66	55	55	55	55	56	56	63	63	0	0	55	55
2:00	63	63	65	65	66	66	57	57	57	57	58	58	63	63	0	0	57	57
3:00	63	63	66	66	67	67	58	58	58	58	59	59	63	63	0	0	58	58
4:00	63	63	66	66	67	67	59	59	59	59	60	60	62	62	0	0	59	59
5:00	63	63	64	64	64	64	59	59	59	59	60	60	62	62	0	0	59	59
6:00	62	62	64	64	64	64	59	59	59	59	60	60	60	60	0	0	59	59
7:00	60	60	62	62	62	62	56	56	56	56	56	56	60	60	0	0	56	56
8:00	59	59	61	61	61	61	52	52	52	52	52	52	58	58	0	0	53	53
9:00	60	60	62	62	62	62	51	51	51	51	52	52	59	59	0	0	52	52
10:00	60	60	62	62	62	62	55	55	54	54	55	55	59	59	0	0	55	55
AVG	61	61	63	63	63	63	53	53	53	53	54	54	60	60	0	0	54	54

Hour	FDBORO		BOSHD		BOSHD		ESTN		BROCKTON		MIDDLE		MIDD		MIDD		BOSG		SEKONK	
	HIGH	LOW	UP	DN	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW
11:00	60	60	293	291	291	291	60	60	62	62	60	59	60	59	60	59	196	196	62	62
12:00	60	60	292	291	291	291	59	59	62	62	59	59	59	59	60	59	196	196	61	61
13:00	60	60	292	292	292	292	59	59	62	62	59	59	59	59	60	59	196	196	61	61
14:00	60	60	291	291	291	291	60	60	62	62	60	60	60	59	60	59	196	196	61	61
15:00	60	60	291	291	291	291	60	60	63	63	60	60	60	59	60	59	196	196	61	61
16:00	60	60	291	291	291	291	60	60	63	63	60	60	60	59	60	59	196	196	61	61
17:00	61	61	291	291	291	291	60	60	63	63	60	60	60	59	60	59	196	196	61	61
18:00	60	60	291	291	291	291	60	60	63	63	60	60	60	59	60	59	196	196	61	61
19:00	60	60	291	291	291	291	60	60	62	62	60	60	60	59	60	59	196	196	60	60
20:00	60	60	291	291	291	291	60	60	62	62	60	60	60	59	60	59	196	196	60	60
21:00	60	60	291	291	291	291	60	60	62	62	60	60	60	59	60	59	196	196	61	61
22:00	61	61	292	291	291	291	61	61	63	63	61	61	60	59	60	59	196	196	61	61
23:00	62	62	292	291	291	291	62	62	64	64	62	62	61	61	61	61	196	196	62	62
0:00	61	61	292	291	291	291	61	61	64	64	61	61	62	62	61	61	196	196	61	61
1:00	63	63	293	291	291	291	63	63	64	64	62	62	62	62	62	62	196	196	63	63
2:00	63	63	293	291	291	291	63	63	64	64	62	62	62	62	62	62	196	196	63	63
3:00	64	64	292	291	291	291	63	63	64	64	62	62	62	62	62	62	196	196	64	64
4:00	63	63	292	291	291	291	63	63	64	64	62	62	62	62	62	62	196	196	63	63
5:00	63	63	292	291	291	291	62	62	64	64	62	62	62	62	62	62	196	196	63	63
6:00	60	60	292	290	290	290	60	60	64	64	60	60	62	62	62	62	196	196	61	61
7:00	60	60	292	290	290	290	60	60	64	64	60	60	62	62	62	62	196	196	61	61
8:00	59	59	292	290	290	290	60	60	64	64	60	60	62	62	62	62	196	196	61	61
9:00	59	59	292	291	291	291	60	60	63	63	60	60	62	62	62	62	196	196	61	61
10:00	60	60	293	290	290	290	60	60	63	63	60	60	62	62	62	62	195	195	61	61
AVG	61	61	292	291	291	291	61	61	63	63	61	61	60	59	60	59	196	196	62	62

ATTN:
Timmy Kellehe

Time frame
11am Sunday 9/9/07
to
10am Monday 9/10/07

Date: 09/11/2007
Time: 11:36

Bay State Gas SCADA System
Hourly Log

Log 2 - Pg 15 of 18
Gas Day: 09/10/2007

Hour	MDFLD WALPOL		RNDLPH		Brockton Pressures		SCIT MARSH		PMBRK		PORTBR		SHRN HOMRCK	
	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW
11:00	61	62	62	62	54	54	54	54	54	60	60	60	54	54
12:00	61	63	62	62	53	53	53	53	53	60	60	60	53	53
13:00	61	63	63	62	53	53	53	53	53	60	60	60	53	53
14:00	61	63	63	63	53	53	53	53	54	60	60	60	54	54
15:00	61	63	63	63	54	54	54	54	54	61	61	61	54	54
16:00	61	63	63	63	54	54	54	54	54	61	61	61	54	54
17:00	61	63	63	63	53	53	53	53	53	60	60	60	53	53
18:00	61	63	63	62	52	52	52	52	52	60	60	60	52	52
19:00	61	62	62	62	51	51	51	51	51	59	59	59	52	52
20:00	60	61	61	61	52	52	52	52	52	60	60	60	52	52
21:00	60	61	61	62	52	52	52	52	52	60	60	60	52	52
22:00	61	62	62	62	53	53	53	53	53	60	60	60	53	53
23:00	62	64	64	63	54	54	54	54	54	61	61	61	54	54
0:00	62	65	65	64	55	55	55	55	55	62	62	62	55	55
1:00	63	65	65	64	56	56	56	56	56	63	63	63	56	56
2:00	63	65	65	64	57	57	57	57	57	63	63	63	57	57
3:00	63	66	66	64	58	58	58	58	58	63	63	63	58	58
4:00	63	66	65	64	59	59	59	59	59	62	62	62	59	59
5:00	63	64	64	64	59	59	59	59	59	61	61	61	59	59
6:00	62	64	64	64	56	56	56	56	56	61	61	61	56	56
7:00	61	61	61	61	52	52	52	52	52	59	59	59	52	52
8:00	60	61	61	61	50	50	50	50	50	59	59	59	51	51
9:00	60	61	61	61	51	51	51	51	51	59	59	59	51	51
10:00	60	61	61	61	51	51	51	51	51	59	59	59	51	51
AVG	61	63	63	63	54	54	54	54	54	61	61	61	54	54

Hour	RYBORO		BOSED		BOSED		ESTM		Brockton Pressures		BWAVER LAKEVL		MIDL		MID2		MID3		BOSG		SEKONK	
	HIGH	LOW	UP	DN	UP	DN	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	INLET	INLET	HIGH	LOW
11:00	60	293	293	289	60	60	63	60	60	59	60	60	59	48	48	48	48	196	196	61	61	
12:00	60	293	293	290	60	60	62	60	60	59	60	60	59	49	49	49	49	196	196	61	61	
13:00	60	293	293	291	60	60	63	60	60	59	60	60	59	49	49	49	49	196	196	61	61	
14:00	61	293	293	291	61	61	63	61	61	60	60	60	59	50	50	50	50	196	196	62	62	
15:00	61	293	293	290	61	61	63	61	61	60	60	60	59	49	49	49	49	196	196	62	62	
16:00	61	293	293	292	61	61	63	61	61	60	60	60	59	49	49	49	49	196	196	61	61	
17:00	61	293	293	292	61	61	63	61	61	60	60	60	59	49	49	49	49	196	196	61	61	
18:00	61	292	292	291	60	60	62	60	60	59	60	60	59	48	48	48	48	196	196	60	60	
19:00	60	292	292	291	60	60	62	60	60	59	60	60	59	48	48	48	48	196	196	60	60	
20:00	60	291	291	290	59	59	62	60	60	59	60	60	59	48	48	48	48	196	196	61	61	
21:00	60	291	291	290	59	59	62	60	60	59	60	60	59	48	48	48	48	196	196	61	61	
22:00	60	291	291	291	60	60	63	60	60	59	60	60	59	48	48	48	48	196	196	62	62	
23:00	61	292	292	291	61	61	63	60	60	59	60	60	59	48	48	48	48	196	196	62	62	
0:00	62	293	293	290	62	62	64	63	63	63	63	63	63	48	48	48	48	196	196	64	64	
1:00	63	294	294	290	63	63	64	64	64	63	63	63	63	48	48	48	48	196	196	64	64	
2:00	63	294	294	291	63	63	64	64	64	63	63	63	63	48	48	48	48	196	196	64	64	
3:00	63	294	294	290	63	63	64	64	64	63	63	63	63	48	48	48	48	196	196	64	64	
4:00	63	293	293	290	63	63	64	64	64	62	62	62	62	48	48	48	48	196	196	63	63	
5:00	62	293	293	290	62	62	64	64	64	62	62	62	62	48	48	48	48	196	196	63	63	
6:00	62	294	294	289	62	62	64	64	64	61	61	61	61	48	48	48	48	196	196	62	62	
7:00	61	294	294	291	61	61	63	63	63	60	60	60	60	48	48	48	48	196	196	61	61	
8:00	60	294	294	291	60	60	63	63	63	60	60	60	60	48	48	48	48	196	196	61	61	
9:00	59	293	293	291	59	59	62	62	62	58	58	58	58	48	48	48	48	195	195	61	61	
10:00	60	293	293	292	60	60	63	60	60	59	60	60	59	48	48	48	48	195	195	61	61	
AVG	61	293	293	291	61	61	63	61	61	60	60	60	60	48	48	48	48	196	196	62	62	

ATTN: Timmy Keilleh

Time frame
11am Monday 9/10
to
10am Tuesday 9/11

From:

09/11/2007 11:28 #005 P.002

EXHIBIT 9

Service Card

CUMS LOCK

N. EASTON

SERVICE CARD

No. 5011

Name Abel Correira

No. 39 Janu Lind Street

Date 6-29-55

19 Prem

to be done

Size of Service 1 Inch Street taken from Seaver Street

Bill to

No.

Amt. to Bill \$

Date Billed

P. O.

REPORT

Service is new

Size of Old Service

Inch

Renew

Cost of Old Service \$

Type and Size of Main 2" steel

Type of Street

Loc. of Main Joints welded

Depth of Main

Prop. Line to Front of Bldg. 31 Ft.

In.

Front of Bldg. to Service End 10 Ft.

In.

Remarks: Total Lth. 42 Ft. 6 In.

Date Done 7-5-55.19

Foreman A. Gomes

MICROFILMED

Form BT 34 1800 8-54 D

SECTION ON OTHER SIDE

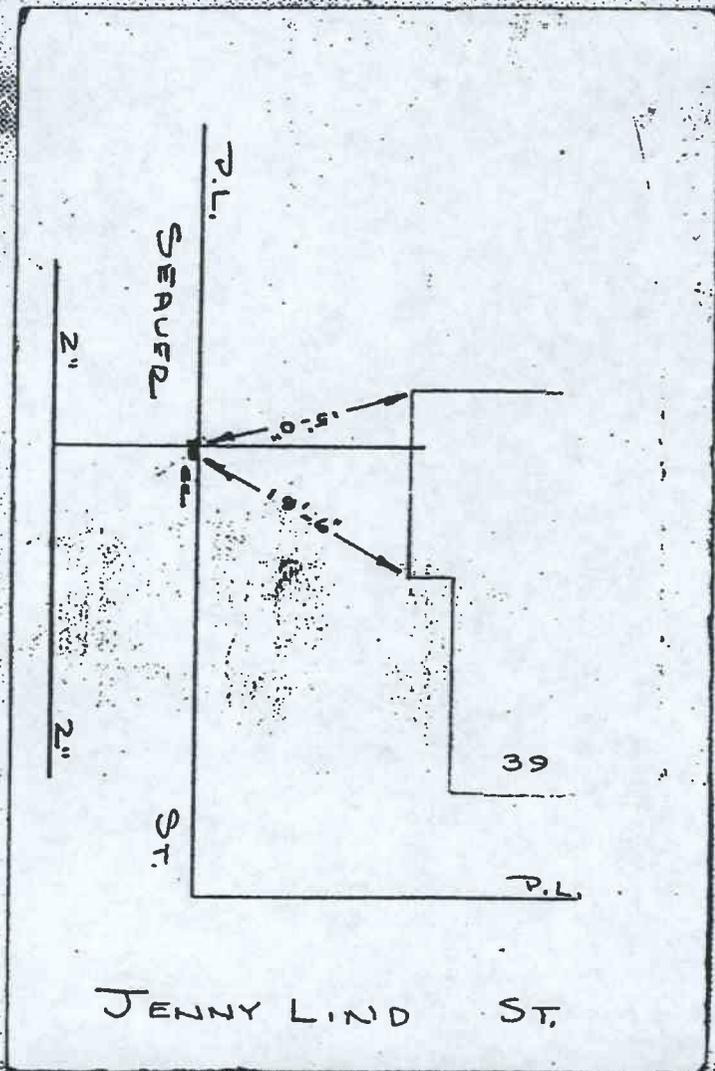


EXHIBIT 10

List of BSG Contractors

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

RESPONSE OF BAY STATE GAS COMPANY TO THE
THIRD SET OF INFORMATION REQUESTS FROM THE DPU
PIPELINE ENGINEERING AND SAFETY DIVISION

Incident at 39 Jenny Lind Street, N. Easton (9-10-07)

Date: November 30, 2007

Responsible: F. William St. Cyr, Operations Center Manager
As to Objection : Legal Counsel

IR-PL 3-3: Based upon Department investigation, the following Employees were present the day of the Incident (note: the definition of "Employee" in the instructions includes persons employed by Bay State, contractors engaged by Bay State, and persons employed by such contractors (e.g., Devereaux and/or Crana)):

- (a) Stephen Cassidy
- (b) Dara Folan
- (c) Michael Fenton;
- (d) Paul Allaire

Provide the Operator Qualification records for these Employees.

RESPONSE: Objection. Bay State objects to the definition of "Employee" as overbroad and unduly burdensome. Bay State further objects to this information request to the extent that it seeks documents and information not presently within the possession, custody, or control of Bay State. Subject to and without waiving these objections, Bay State states that although these four (4) individuals are not employees of Bay State, but are, instead, employed by Devereaux Corporation or Crana Excavating, Bay State provides the following response based on information currently available to Bay State:

Please see Attachment IR-PL 3-3 (a) for the Operator Qualification records for Paul Allaire.

Please see Attachment IR-PL 3-3 (b) for the Operator Qualification records for Stephen Cassidy.

Dara Folan was employed as a laborer and was not Operator Qualified at the time of the incident.

Michael Fenton was employed as a truck driver and was not Operator Qualified at the time of the incident.

EXHIBIT 11

**Operation & Maintenance Manual, Service Changeovers (5.04)
And Excavation Procedures (18.02)**

**BAY STATE GAS/NORTHERN UTILITIES
OPERATING AND MAINTENANCE PROCEDURES**

SERVICE CHANGEOVER

(Relocating service pipe from one main to another)

1. Locate and mark all company facilities in the work area. Check for and be sure of the locations of other underground utilities that might be encountered when digging.
2. Place a fire extinguisher near the work area where it will be accessible for immediate use.
3. Check curb cock(s) related to the job for accessibility and operation.
4. Expose main(s) at the service tie-in. Note and record the condition of the main(s) and service according to Procedure 7.80.
5. Shut off the gas at the meter stop after notifying the customer.
6. If existing service is bare steel, renew the entire service.
7. Shut off the gas at the tee connection with a self-tapping insert plug or by pinning off the drilled hole in the main. See step 9 below for exceptions.
8. Inspect the pipe. If it is in poor condition or bare steel pipe, replace the entire service. Be sure to record the pipe and coating condition of all steel services according to O & M Procedure 7.80.
9. When the new main is closer to the building, position the service connection over the new main and cut the existing service to fit. Use caution because the service will still have a small amount of gas in it. Install an excess flow valve whenever feasible. The portion of the old service that will not be used may be stubbed, capped and abandoned with the main provided that purging and abandonment of the older main is imminent.
10. When the new main is farther from the building, measure the new pipe to be added. Cut the existing service. Use caution as you would in step 9. Connect the new pipe to the old service. Install an excess flow valve whenever feasible. The portion of the old service that will not be used may be stubbed, capped and abandoned with the main provided that purging and abandonment of the older main is imminent.
11. Remember that whenever a service line has been temporarily disconnected from the main, for maintenance or any other reason, the service line must be tested from the point of disconnection to the service line valve in the same manner as a new service line, before reconnecting. The only exception to this is when provisions are made to maintain continuous service, such as by installation of a bypass, any part of the original service line used to maintain continuous service need not be tested. Pressure test the service with air or inert gas according to the table on page 2 of Procedure 5.11. The pressure test must be done prior to tapping the service connection at the main. Document test pressure and duration on

**BAY STATE GAS/NORTHERN UTILITIES
OPERATING AND MAINTENANCE PROCEDURES**

the Work Order Form.

12. Gas the service and test all exposed fittings using liquid soap. If the curb valve is not exposed, check the curb box with a combustible gas indicator.
13. All steel services installed or tied over to a new main shall be insulated and must have cathodic protection. Install a 3 pound magnesium anode on the isolated service tee assembly. Clean and coat any fitting or portion of any fitting without a factory applied corrosion preventive coating.
14. Backfill the trench according to Procedure 5.10. Do not use large rocks, ashes or cinders in the backfill.
15. Be sure to record the pipe and coating condition on all steel services according to Procedure 7.80.
16. If the customer is not home, leave the gas shut off at the meter shut off valve and at the curb valve if one has been installed. Tag the door and alert the dispatcher.
17. Notify the dispatcher that the customer's meter has been shut off but the service is ready to be restored.
18. If the service line is not placed into service upon completion of the changeover, the service line must be secured until the customer is supplied with gas. To prevent unauthorized use, secure the service line using any one of the three methods below:
 - a. Install a valve on the service riser or meter fit, place the valve in the closed position and lock the valve so that it can only be unlocked by gas company personnel;
 - b. Install a mechanical device that will prevent the flow of gas into the service line or meter assembly (Installing a flow limiter in the line does not meet the requirements; a flow limiter will minimize the flow of gas but will not prevent the flow of gas); or
 - c. Make sure that the customer's piping is physically disconnected from the gas supply piping and seal the ends of both the gas company and customer piping.

**BAY STATE GAS/NORTHERN UTILITIES
OPERATING AND MAINTENANCE PROCEDURES**

EXCAVATION PROCEDURE

The following list of items shall be adhered to in all instances where any type of excavation related to gas facilities is to take place.

1. Prior to excavation, a check shall be made to insure that all sub-structure utilities or installations are located. (i.e. "DigSafe" where applicable)
2. Adequate barrier protection shall be set up to insure safety and safe working conditions in and around the excavation area.
3. All boulders, trees or other surface impediments which will create a hazard in the excavation area shall be removed or made safe before excavation begins.
4. Inspections shall be made daily, by competent personnel, and appropriate steps be taken to make the excavation area safe.
5. The walls and faces of all excavations in which employees are exposed to danger shall be made safe by shoring or other suitable means.
6. In all instances, spoil from the excavation shall be stored and/or retained at least 2 feet or more from the edge of the excavation.
7. Diversion ditches or dikes shall be used wherever the possibility of surface water entering the excavation occurs.

EXHIBIT 12

Dig Safe Ticket

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

**RESPONSE OF BAY STATE GAS COMPANY TO THE
THIRD SET OF INFORMATION REQUESTS FROM THE DPU
PIPELINE ENGINEERING AND SAFETY DIVISION**

Incident at 39 Jenny Lind Street, N. Easton (9-10-07)

Date: November 30, 2007

Responsible: F. William St. Cyr, Operations Center Manager

IR-PL 3-6: Provide records that demonstrate that Bay State procured a Dig Safe ticket specific to 39 Jenny Lind Street. Include in your response the Dig Safe ticket number and Dig Safe ticket.

RESPONSE: Attachment IR-PL 3-6 contains the information for the following Dig Safe Tickets:

- a. 20073305151**
- b. 20073305150**
- c. 20073109234**

MASDIG2007081500053 Brockton 2007/08/15 08:29:35 00029

(DIG SAFE SYSTEM, INC. - MA) 08/15/2007 08:28:14

29-CG BSTGAS -MF -ON -RJ
-TV -WW

***** REGULAR *****

TIME .08:28 DATE .08/15/2007

REQUEST NO...20073305151

STATE.....MASSACHUSETTS
MUNICIPALITY..EASTON

STREET...SEAVER ST

NEAREST CROSS STREET 1..MAIN ST /MAPLE ST

BEG & INCL MAIN ST INTERSECTION GOING SO FOR 1030FT TO & INCL
MAPLE ST INTERSECTION & ALL INTERS BETWEEN UP TO 100FT ON EA INTER

NATURE OF WORK..REPLACE GAS MAIN & TIE OVER SERVICES

EXTENT OF WORK
WORKING ST BOTH SIDES & ST TO HSES

AREA IS PREMARKED..YES

START DATE.....08/20/2007 START TIME..08:30

CALLER.....X1322 BARBARA
TITLE.....CLK
RETURN CALL.....BY 4 30PM
PHONE #.....508-580-0100
FAX #.....508-583-9079
ALT. PHONE #.....
EMAIL ADDRESS...
CONTRACTOR.....BAY STATE GAS
ADDRESS.....995 BELMONT ST
CITY.....BROCKTON
STATE.....MA
ZIP.....02401
EXCAVATOR DOING WORK..SAME & R J DEVEREAUX BOSTON MA

Researcher: _____ Locator: _____

Location Clarifications: _____

Comments: _____
[] All Gas Facilities Within Boundaries
Were Marked Before Effective Time. The
Amount Of Underground Facilities Marked Was:

_____ FT OF MAIN _____ # OF SVS UNITS _____

_____ [] Abandoned Main Marked

_____ [] No Gas In Dig Area

_____ Located By _____ Date _____

_____ Comments _____

_____ Person Spoke To _____

_____ Date/Time of Conversation _____

(DIG BAY STATE GAS, INC. - MA) 08/15/2007 08:29:47

30-CG JUSTICE -MD -MF -ON
RJ -TV -WW

***** REGULAR *****

TIME..08:29 DATE..08/15/2007

REQUEST NO...20073305150

STATE.....MASSACHUSETTS
MUNICIPALITY..BOSTON

STREET...MAPLE ST

NEAREST CROSS STREET 1..MAPLE ST

FRM & INCL DEAVER ST INTER CO W ON MAPLE FOR APRX 500FT TO THE END

NATURE OF WORK..REPLACE GAS MAIN & TIE OVER SERVICES

EXTENT OF WORK
WORKING AT BOTH SIDEN & ST TO HSIS

AREA IS MARKED..YES

START DATE...08/20/2007 START TIME..08:30

CALLER.....X1332 BARIARA
TITLE.....CLE
RETURN CALL....BY 4 30PM
PHONE #.....508-586-0100
FAX #.....508-583-9979
ALT. PHONE #...
EMAIL ADDRESS...
CONTRACTOR.....PAY STATE GAS
ADDRESS.....295 HIGHLAND ST
CITY.....BROCKTON
STATE.....MA
ZIP.....02401
EXCAVATOR DOING WORK..GAMB & R J DEVEREAUX BOSTON MA

Notice History:

DATE/TIME	Notice ID	Description
2007/08/15 08:30:24AM	MASDIG2007001500055	Received for Member: CG
2007/08/15 08:30:40AM	MASDIG2007081500055	Assigned to Brockton for CG by dbo Auto assigned to the single service area of the member
2007/08/16 08:31:01AM	MASDIG2007001500055	Message Delivered Notice
2007/08/16 08:23:52AM	MASDIG2007081500055	Response for CG from Brockton: Internal Ticket - located by Distribution Crew Entered by Digi Located By: bill st Cyr from 2007/08/16 08:23AM - 2007/08/16 08:23AM

Caller
Title: Clerk

Bay State Gas Co.
995 Belmont Street
Brockton, MA 02301
(508) 580-0100 ext.

Date: August 15,
2007

Contractor ID: 11676

TOWN	ADDRESS	INTER	TYPE of WORK	EXTENT of WORK	START DATE	DIGSAFE
EA	SEAVER ST			Depth Unknown	R J DEVEREAUX	
	STARTING AND INCLUDING THE INTERSECTION OF SEAVÉR ST @ MAIN STREET GOING SOUTH ON SEAVÉR ST FOR ABOUT 1030' TO AND INCLUDING THE INTERSECTION OF MAPLE ST INCLUDING ALL INTERSECTION ON THE WAY		REPLACING GAS MAIN AND TIE OVER SERVICES ON BOTH SIDES OF THE STREET	Depth Unknown	8/20/07 @ 8:30	20073305151
EA	MAPLE ST			Depth Unknown		
	STARTING AND INCLUDING THE INTERSECTION OF MAPLE ST @ SEAVÉR ST GOING WEST ON MAPLE ST FOR ABOUT 500' TO END		REPLACING GAS MAIN AND TIE OVER SERVICES ON BOTH SIDES OF THE STREET	Depth Unknown	08/20/07 @ 8:30	20073305150

Permit No. 48-07

TOWN OF EASTON

Dig Safe No. 2007330515

APPLICATION FOR A STREET OPENING PERMIT

*Recd
8/21/07*

8/15/07

APPLICANT: (as defined in the By-Law) Bay State Gas Company
NAME: 995 Belmont Street
Brockton, MA 02301

CONTACT PERSON: Barbara PHONE: 508-580-7100
APPLICANTS SIGNATURE: Barbara Hayward Ext 1322

LICENSED CONTRACTOR:
NAME: Same
ADDRESS: _____
PHONE: _____

EMERGENCY PHONE NUMBER:
(available 24 hours a day)

TOWN OF EASTON LICENSE NO

LOCAL - Starting and including the intersection of Maple Street @ Seaver Street
(Compl going west on Maple Street for about 500' to end of street.

EXPECTED SIZE OF TRENCH: 3' X 500'

ESTIMATED DEPOSIT (based on schedule) _____

EXPECTED DATE OF WORK: ASAP

EMERGENCY CONDITIONS: _____

Applicant, by its signature in the space provided below, acknowledging the benefit conveyed to Applicant by the receipt of the Street Opening Permit hereby covenants and agrees with the Town of Easton to defend, indemnify and hold harmless the Town of Easton and all of its officers, employees and agents of and from any and all claims, demands, suits or other proceedings and from any and all liabilities arising or claimed to have arisen out of, or to be in any way related to: (i) this Application, (ii) any street opening work as defined in the Street Opening By-Law or (iii) any action or failure to act by Applicant, its officers, employees, agents or contractors in connection with any work performed or failed to be performed by or on behalf of Applicant in or under any Public Way in the Town of Easton.

Application Fee Received Exemption Claimed? (Y)(N)
 Refundable Deposit Received Emergency Inspection Fee

Approved By: *[Signature]* Date: 8/20/07
(Public Works Designee)

ALL FEES MUST BE IN CASH OR CERTIFIED BANK CHECK

MASDIG2007080300027 Brockton 2007/08/03 07:40:38 00013

(DIG SAFE SYSTEM, INC. - MA) 08/03/2007 07:39:18

13-CG BSTGAS -MF -ON -RJ
-TV -WN

***** REGULAR *****

TIME..07:39 DATE..08/03/2007

REQUEST NO...20073109234

STATE.....MASSACHUSETTS
MUNICIPALITY..EASTON

STREET...JENNY LIND ST

NEAREST CROSS STREET 1..

WKG FRM WILLIAMS ST, EAST FOR APX 1000', TO SEAVER ST (+ 100' IN BTH
DIRECTNS ALONG SEAVER ST) INCLUD ALL INTRN // DB

NATURE OF WORK..REPLACE GAS MAIN & TYE OVER SERVICES

EXTENT OF WORK
BTH SDS OF ST - ST & STS TO HSES

AREA IS PREMARKED..YES

START DATE.....08/08/2007 START TIME..07:45

CALLER.....BARBARA X1322

TITLE.....

RETURN CALL.....BY 4 30PM

PHONE #.....508-580-0100

FAX #.....508-583-9079

ALT. PHONE #....

EMAIL ADDRESS...

CONTRACTOR.....BAY STATE GAS

ADDRESS.....995 BELMONT ST

CITY.....BROCKTON

STATE.....MA

ZIP.....02401

EXCAVATOR DOING WORK..SAME & RJ DEVEREAUX BOSTON

Researcher: _____ Locator: _____

Location Clarifications: _____

Comments: _____

[] All Gas Facilities Within Boundaries
Were Marked Before Effective Time. The
Amount Of Underground Facilities Marked Was:

_____ FT OF MAIN _____ # OF SVS UNITS _____

[] Abandoned Main Marked

[] No Gas In Dig Area

Located By _____ Date _____

Comments _____

Person Spoke To _____

Date/Time of Conversation _____

EXHIBIT 13

Locating Service to 39 Jenny Lind Street

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

**RESPONSE OF BAY STATE GAS COMPANY TO THE
THIRD SET OF INFORMATION REQUESTS FROM THE DPU
PIPELINE ENGINEERING AND SAFETY DIVISION**

Incident at 39 Jenny Lind Street, N. Easton (9-10-07)

Date: November 30, 2007

Responsible: F. William St. Cyr, Operations Center Manager

IR-PL 3-7: Provide Operator documents (work order) that demonstrate Bay State marked out the location of its underground service to 39 Jenny Lind Street. Include in your response all records Bay State used to identify the location of the service to 39 Jenny Lind Street.

RESPONSE: In this particular case, Bay State was the excavator initiating the DigSafe request and not the respondent to this DigSafe request. Therefore, there would be no specific documents which demonstrate that Bay State marked out the location of its underground service to 39 Jenny Lind St.

Bay State did use its own system maps to locate the service. These maps are available for viewing at Bay State's Brockton Operations Center.

EXHIBIT 14

**BSG Operation & Maintenance Manual, Service Insertion
With Plastic Pipe**

**BAY STATE GAS/NORTHERN UTILITIES
OPERATING AND MAINTENANCE PROCEDURES**

**SERVICE INSERTION WITH PLASTIC PIPE
(0-100 psig)**

Follow these procedures when inserting a plastic service into an old service line.

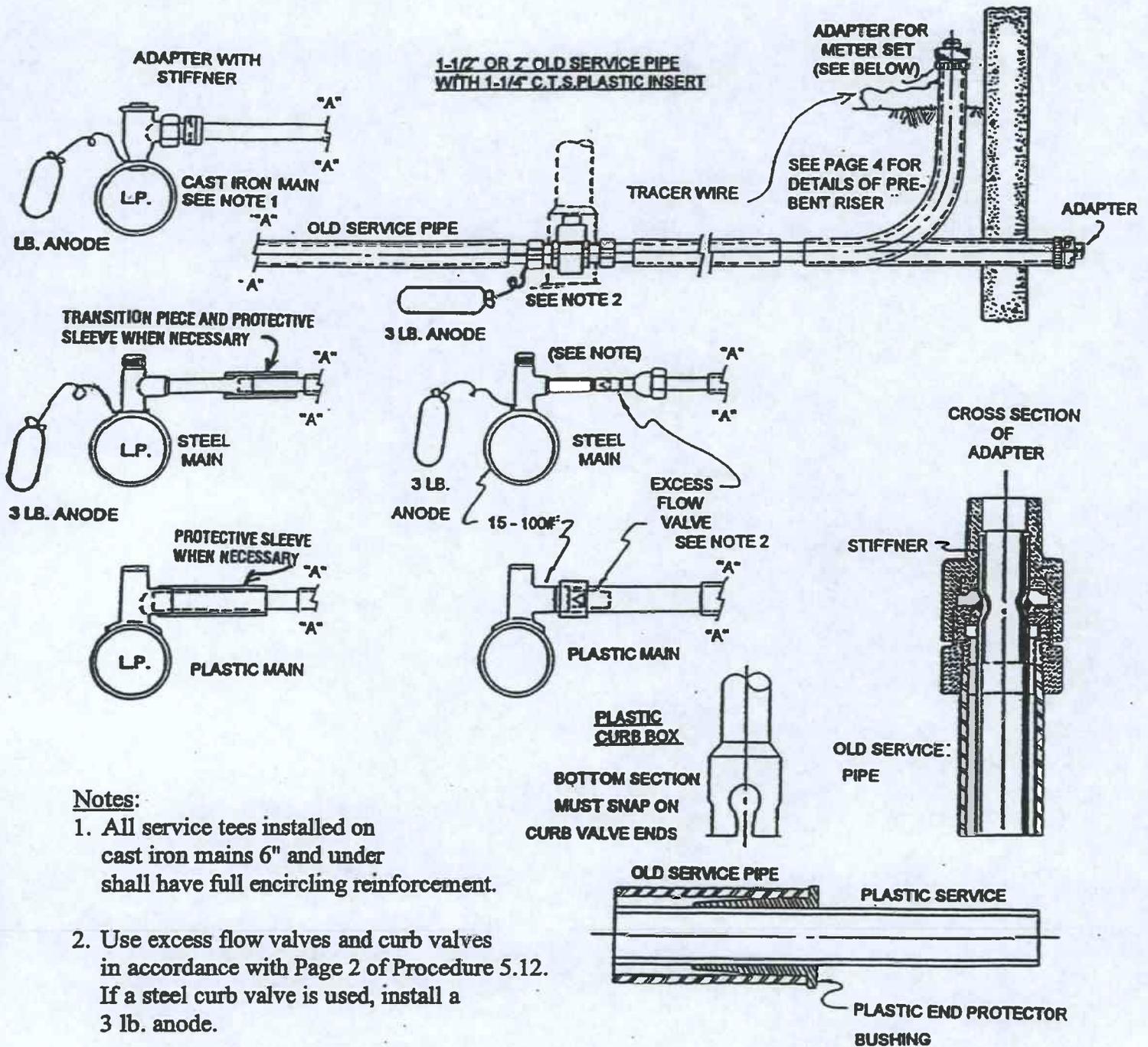
- 1) Move inside meters to outside locations wherever possible. All inside service renewals shall be approved by the Operations Manager or Field Operations Leader.
- 2) Plug all previous service entrances in foundation walls with cement when the service pipes are removed.
- 3) All plastic pipe must have the proper pressure rating for the application in which it will be used.
- 4) Use plastic pipe end protector bushings in all cases where the plastic carrier pipe enters a steel sleeve. The leading end of the inserted plastic must be closed prior to insertion. However, if this is not possible, the plastic pipe must be blown out with compressed air after the insertion is complete in order to remove any debris that may have accumulated.
- 5) Install a 3-pound magnesium anode to protect all isolated metallic fittings including the service tee and curb valve, if exposed. Clean and coat any fitting or portion of any fitting without a factory applied corrosion preventive coating. Clean and coat exposed metal to the limits of the excavation. Use anodeless risers.
- 6) Take care in handling plastic service pipe to avoid all unnecessary bending, twisting, and scratching during the insertion.
- 7) Install curb valves and/or excess flow valves on all services. However, low pressure services less than 2" in diameter do not require a curb stop unless the meter connections are located inside the building or the service provides gas to a building of public assembly. When a curb valve is required, it must be installed such that it is readily identifiable, accessible and located in proximity to the property line.
- 8) Keep all excavations free from stones and sharp objects.
- 9) Protective sleeves should be used on service line takeoffs when necessary to minimize stresses due to pipe deflection.
- 10) If possible, allow for slack at the service tee. This will eliminate stress cracking due to thermal contraction.
- 11) All services to be inserted where a high water table exists shall be approved by the Operations Manager or Field Operations Leader.

**BAY STATE GAS/NORTHERN UTILITIES
OPERATING AND MAINTENANCE PROCEDURES**

- 12) Pressure test the plastic service according to Procedure 5.11.
- 13) If the service line is not placed into service upon completion of the insertion, the service line must be secured until the customer is supplied with gas. To prevent unauthorized use, secure the service line using any one of the three methods below:
- a) Install a valve on the service riser or meter fit, place the valve in the closed position and lock the valve so that it can only be unlocked by gas company personnel;
 - b) Install a mechanical device that will prevent the flow of gas into the service line or meter assembly (Installing a flow limiter in the line does not meet the requirements; a flow limiter will minimize the flow of gas but will not prevent the flow of gas); r
 - c) Make sure that the customer's piping is physically disconnected from the gas supply piping and seal the ends of both the gas company's and customer's piping.
- 14) All service installation forms shall be completed and given to the Distribution Department.

**BAY STATE GAS/NORTHERN UTILITIES
OPERATING AND MAINTENANCE PROCEDURES**

PLASTIC SERVICES - INSERTION UNDER 100 PSIG

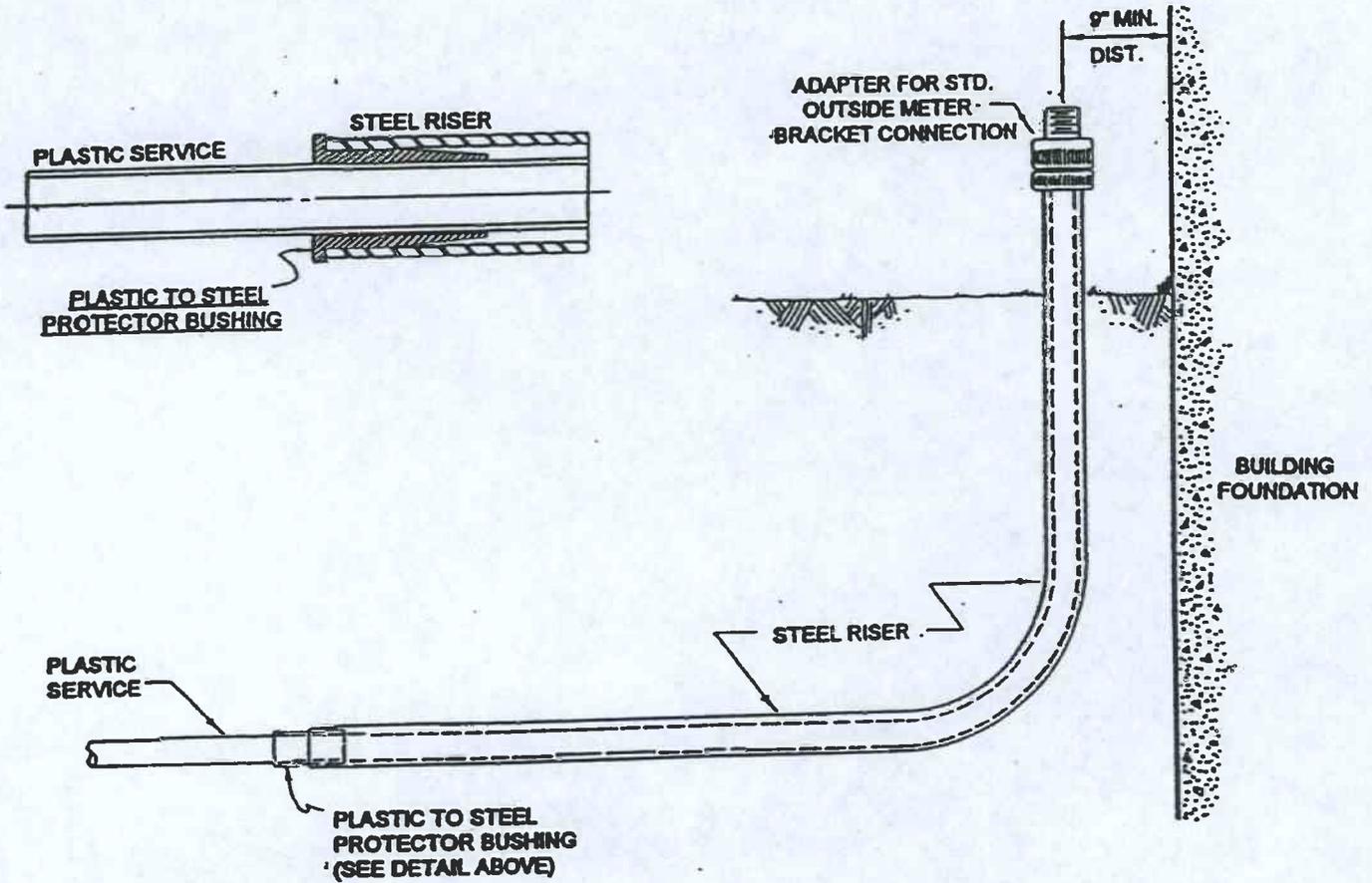


Notes:

1. All service tees installed on cast iron mains 6" and under shall have full encircling reinforcement.
2. Use excess flow valves and curb valves in accordance with Page 2 of Procedure 5.12. If a steel curb valve is used, install a 3 lb. anode.
3. When a curb valve is required, it must be installed such that it is readily identifiable, accessible and located in proximity to the property line.

**BAY STATE GAS/NORTHERN UTILITIES
OPERATING AND MAINTENANCE PROCEDURES**

**PRE-BENT STEEL RISER WITH PLASTIC GAS SERVICE INSERT
UNDER 100 PSIG**



NOTE:

1. Plastic continues through riser protection sleeve and connects to adapter.

INSTALLATION OF PLASTIC SERVICES

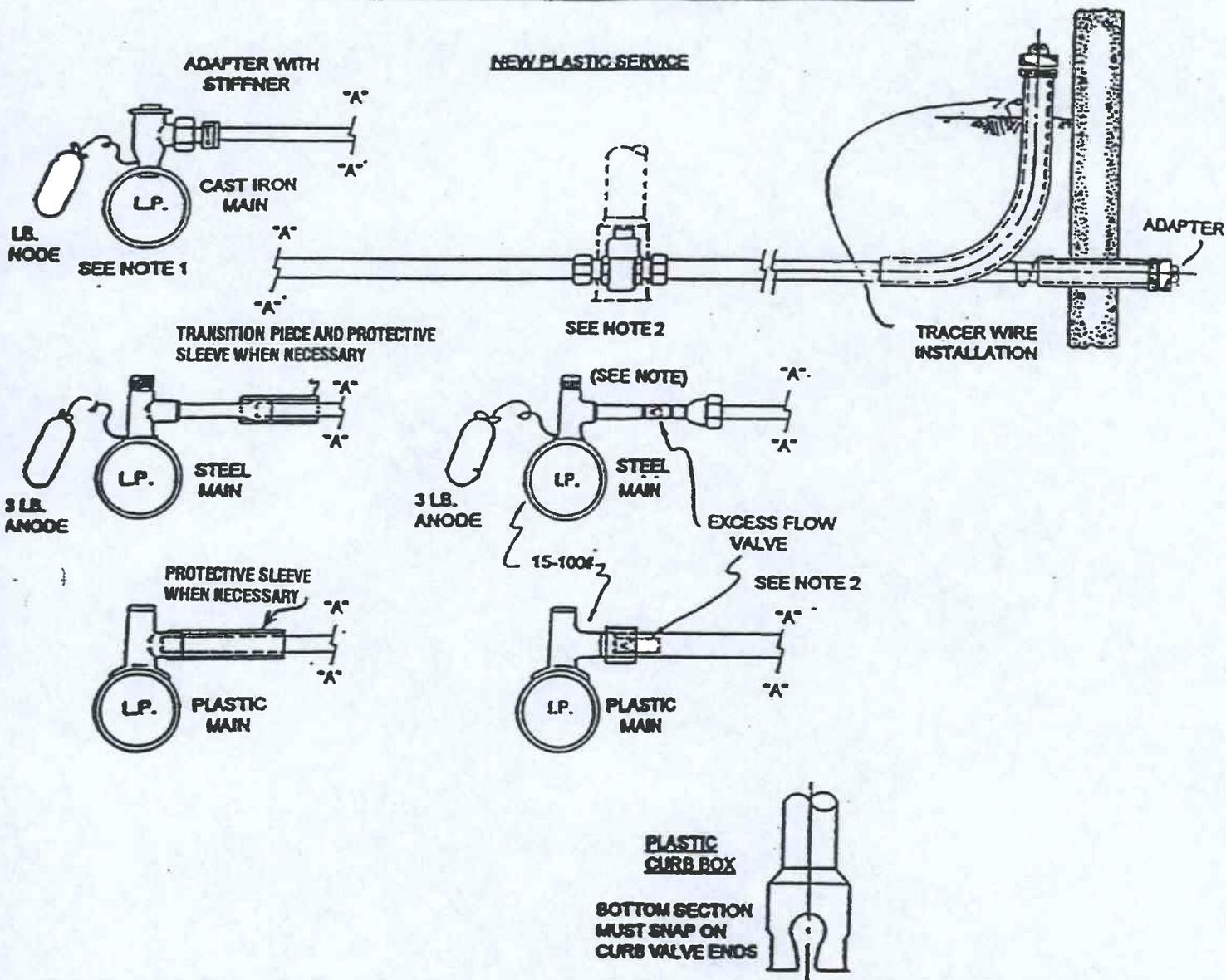
Follow these procedures when installing a new plastic service.

1. Locate all new service risers outside. Exceptions shall be approved by the Operations Manager.
2. All plastic pipe must have the proper pressure rating for the application in which it will be used.
3. Provide slack for expansion and contraction of services.
4. Use plastic end protector bushings in all cases where the plastic carrier pipe enters a steel sleeve.
5. Install a 3 pound magnesium anode on all isolated metallic fittings including the service tee. Clean and coat any fitting or portion of any fitting without a factory applied corrosion preventive coating.
6. Take care in handling plastic pipe to avoid all unnecessary bending, twisting, and scratching.
7. When a service is installed by the direct burial method, lay a tracer wire along the length of the service for future use in locating the service. Keep the tracer wire at least 4 inches away from the plastic pipe. When services are installed using the boring and pulling method, pull the tracer wire alongside the plastic pipe. Use of larger size boring tools will help keep the wire and pipe away from each other. If the installation is trenchless, the tracer wire may be less than 4" away from the plastic pipe.
8. When services are installed by the direct burial method, install warning tape per sketch in Procedure 5.10.
9. Install curb valves and/or excess flow valves in accordance with Procedure 5.12. However, low pressure services less than 2" in diameter do not require a curb stop unless the meter connections are located inside a building or the service provides gas to a building of public assembly. When a curb valve is required, it must be installed such that it is readily identifiable, accessible and located in proximity to the property line.
10. Keep all excavations free from stones and sharp objects and in accordance with Procedure 5.10.
11. Protective sleeves should be used on service line takeoffs *when necessary* to minimize stresses due to pipe deflection.

OPERATING AND MAINTENANCE PROCEDURES

12. Pressure test the service in accordance with Procedure 5.11.
13. If the service line is not placed into service upon completion of the installation, renewal or repair, the service line must be secured until the customer is supplied with gas. To prevent unauthorized use, secure the service line using any one of the three methods below:
 - a. Install a valve on the service riser or meter fit, place the valve in the closed position and lock the valve so that it can only be unlocked by gas company personnel;
 - b. Install a mechanical device that will prevent the flow of gas into the service line or meter assembly (Installing a flow limiter in the line does not meet the requirements; a flow limiter will minimize the flow of gas but will not prevent the flow of gas); or
 - c. Make sure that the customer's piping is physically disconnected from the gas supply piping and seal the ends of both the gas company and customer piping.
14. All service installation forms shall be completed and given to the Distribution Department.

**PLASTIC SERVICES - NEW INSTALLATIONS
UNDER 100 PSIG**



Notes:

1. All service tees installed on cast iron mains 6" and under shall have full encircling reinforcement.
2. Use excess flow valves and curb valves in accordance with Page 2 of Procedure 5.12.
3. When a curb valve is required, it must be installed such that it is readily identifiable, accessible and located in proximity to the property line.

EXHIBIT 15

OQ Record of BSG Employees

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

RESPONSE OF BAY STATE GAS COMPANY TO THE
THIRD SET OF INFORMATION REQUESTS FROM THE DPU
PIPELINE ENGINEERING AND SAFETY DIVISION

Incident at 39 Jenny Lind Street, N. Easton (9-10-07)

Date: November 30, 2007

Responsible: F. William St. Cyr, Operations Center Manager
As to Objection : Legal Counsel

IR-PL 3-3: Based upon Department investigation, the following Employees were present the day of the Incident (note: the definition of "Employee" in the instructions includes persons employed by Bay State, contractors engaged by Bay State, and persons employed by such contractors (e.g., Devereaux and/or Crana)):

- (a) Stephen Cassidy
- (b) Dara Folan
- (c) Michael Fenton;
- (d) Paul Allaire

Provide the Operator Qualification records for these Employees.

RESPONSE: Objection. Bay State objects to the definition of "Employee" as overbroad and unduly burdensome. Bay State further objects to this information request to the extent that it seeks documents and information not presently within the possession, custody, or control of Bay State. Subject to and without waiving these objections, Bay State states that although these four (4) individuals are not employees of Bay State, but are, instead, employed by Devereaux Corporation or Crana Excavating, Bay State provides the following response based on information currently available to Bay State:

Please see Attachment IR-PL 3-3 (a) for the Operator Qualification records for Paul Allaire.

Please see Attachment IR-PL 3-3 (b) for the Operator Qualification records for Stephen Cassidy.

Dara Folan was employed as a laborer and was not Operator Qualified at the time of the incident.

Michael Fenton was employed as a truck driver and was not Operator Qualified at the time of the incident.

EMPLOYEE QUALIFICATIONS

04/12/2007 R.J. Devereaux Corporation

Employee ID: [REDACTED] First Name: Stephen Last: Cassidy
 Title: Phone:
 Company: R.J. Devereaux Corporation State:

QUALIFICATIONS

Task ID	Name	Revision	Date	Next Date
NGA-050 Written	Joining plastic pipe	1	02/08/2007	02/06/2008
NGA-051 Demo	Install bolt-on tee on plastic pipe	1	02/06/2007	02/06/2008
NGA-051 Written	Install bolt-on tee on plastic pipe	1	02/06/2007	02/06/2008
NGA-052 Demo	Inspect plastic pipe fusion joint	1	02/06/2007	02/06/2008
NGA-052 Written	Inspect plastic pipe fusion joint	1	02/06/2007	02/06/2008
NGA-070	Abnormal Operating Conditions /Properties of Natural Gas	1	02/05/2007	02/04/2010
NGA-071	Operator Excavation in Vicinity of Pipeline	1	02/05/2007	02/05/2012
NGA-PJQ-01A	Butt Fusion - Straight Pipe	1	02/06/2007	02/06/2008
NGA-PJQ-01B	Butt Fusion - Coiled Pipe	1	02/06/2007	02/06/2008
NGA-PJQ-02	Socket Fusion	1	02/06/2007	02/06/2008
NGA-PJQ-04	Electro Fusion - Saddle	1	02/06/2007	02/06/2008
NGA-PJQ-05	Electro Fusion - Coupling	1	02/06/2007	02/06/2008
NGA-PJQ-06	Mechanical Coupling - Bolt On	1	02/06/2007	02/06/2008
NGA-PJQ-07	Mechanical Coupling - Stab	1	02/06/2007	02/06/2008
NGA-PJQ-08	Mechanical Coupling - Compression	1	02/06/2007	02/06/2008
NGA-PJQ-09	Mechanical Coupling - Thread	1	02/06/2007	02/06/2008
NGA-PJQ-10	Soil Compaction	1	02/06/2007	02/06/2008

EXHIBIT 16

Photo of Service Line (not exposed)



EXHIBIT 17

Jenny Lind Street Notes of DPU Inspector

39 Jenny Lind St, North Easton

NOTES

September 10, 2007

Trooper Thomas Berteletti
MA State Police Detective
Fire and Explosion investigation Section

William St Cyr
Operations Center Manager
Bay State Gas

Michael Devereaux
V.P. Devereaux Const

Michael Fox
Detective, Town of Easton

Easton Fire and Police Dept, OSHA, Dept of Public Safety, Easton DPW.

Arrived at location at 12:25 P.M.

The house had been completely destroyed and 7 people were taken to the hospital.

John Kelly, BSG Fitter
Lenny Coe, Detail Officer
Dara Folan, Devereaux
Four tenants

BSG maps at the scene indicate that the service line was 1" bare steel installed in 1955. The main was 2" bare steel installed in 1925 (the house was fed off of Seaver St, which also had a 2" bare steel main installed in 1925). There were two meters and the service regulator inside the house. The system in this area operated at approximately 60 PSIG.

The company had installed a replacement 2" plastic main and was in the process of tying the services from the old main to the replacement main. The replacement main had been pressurized.

The inside high pressure valve was found in the open position. The curb valve was closed by

the fire dept after the explosion.

Evidence

The Easton Police Dept. agreed to store the evidence.

The evidence consisted of:

a 13' section of service pipe (with bend)

the meter bar and meters with the regulator housing attached (cut off at customer piping)

the inside valve with the fittings attached (two nipples and an elbow)

the regulator relief vent

misc meter and regulator parts

a piece of melted metal (possible melted wrench)

also at the scene was a tool bag with tools, was found just inside the bulkhead near the top step, the new meter manifold with a hook up for two meters still attached to the house sill plate was found near the street and the curb valve (I was told this was installed two weeks earlier). All of these items were taken by BSG.

Other persons at the scene.

Elliot Russell, BSG inspector, was not at the site at the time of the incident (was inspecting another crew).

Stephen Hamilton, second detail officer (walking up street from # 9 Seaver St)

Stephen Cassidy, Devereaux backhoe operator (walked up the street to find the next service to work on)

Paul Allaire, Devereaux employee (working in front of #9 Seaver St

Michael Fenton, dump truck operator (not at site at the time of incident)

Robert Hennessey, private contractor working at #20 Seaver St (across from 39 Jenny Lind St)

Stephen Hamilton, Detail Officer, 508 846 0749. Stated that he was walking towards # 39 Jenny Lind St. from # 5-7-9 Seaver St. There were two Devereaux people near # 5-7-9 Seaver St and two others at 39 Jenny Lind St. He stated that the other detail officer was Lenny Coe and was taken to the hospital. He also stated that he did not smell gas and that there was two smaller explosions after the first one near the front of the house. He stated he saw three people exit the building after the explosion.

Stephen Cassidy, 12-19-73, 98 Lake St, Weymouth, 02189, 617 293 4442. Devereaux backhoe operator. Stated that he excavated from the house to the curb valve next to the old service. The curb valve was exposed but the old service from the house to just before the curb valve was not exposed. He stated a large rock was removed from near where the service was bent. He also stated that he did not hit the service with the backhoe. He stated that the curb valve was to be cut out. He left the laborer (Dara Folan) near the curb valve to continue excavating by hand. He then went to find the next service to be excavated. Said that John Kelly was found in the driveway next to the house near the bulkhead and that he was placed on a piece of plywood and taken across the street with the help of the contractor working across the street. He also stated that Dara Folan was found under the backhoe which was in front of the house.

Paul Allaire, 8-12-87, 10 Corrine St, Worcester, 01604, 508 887 0548. Stated he was at house # 9 Seaver St and was moving the truck and saw the house explode. He also stated that he did not smell gas.

Michael Fenton, dump truck operator, employee of Willie Mac Co. Stated that he was not at the site at the time of the explosion. Left the job at 10:30-10:40 AM to pick up sand and drop off spoil.

Robert Hennessey (private contractor) working at 20 Seaver St .across the street from the explosion. Assisted tenants and injured people.

Pressure tests

8:15 PM the service was cut off near the main and down stream of the curb valve. A pressure test was conducted on the service line, there was slight leakage found at the outlet threads of the curb valve. See pic of bubbles. The pressure dropped 6 psig in 3 minutes at 60 psig. The valve was then removed and another pressure test was conducted at 8:33 PM at 60 psig the test ended at 8:50 PM and the pressure held at 60 psig. The remainder of the service line from the curb valve to inside the house was not pressure tested.

A slight leak was found on the service tee to 39 Jenny Lind St (at the weld) the main was in poor condition. The leak may have been from cutting off the service. The leak was repaired after midnight.

35 Jenny Lind St, the service was cut off at the property line. This was completed because debris from the explosion was covering the outside meter, service riser and the remainder of the equipment. The company could not confirm if it was secure.

10:30 PM the gas company conducted a leak survey of Jenny Lind St, Maple St and Seaver St. The only leak discovered was the leak on the service tee to 39 Jenny Lind St which was discovered earlier.

At this time it is thought that the service may have been nudged by the rock when it (the rock) was being removed or the fitter did something in the house to cause gas to leak. The fitter remains in the hospital and has not been interviewed.

EXHIBIT 18

Note of John Kelly Interview by DPU Inspector

John Kelly was the Bay State Gas fitter working on September 10, 2007 at 39 Jenny Lind St No Easton.

An interview was conducted on 10-19-2007 at Mr Kelly's home, 5 Hill St Norton at 10AM. At the interview was Leonard T. Evers of Cooley Manion Jones LLP and Michael J. Mazurczak of Melick Porter and Shea LLP.

John Kelly was asked what he remembered?

He stated that he did not remember much.

He also stated when asked,

he did not remember what time of day it was, someone told him it was around 11 AM.

did not remember putting his tools on the top step of the bulk head.

did not remember being in the house.

did not remember the position of the curb cock, high pressure cock or the meter valves.

John was told that all the valves were found in the open position and he responded,

I guess I didn't do any thing yet.

He then stated that would be the first thing you do, close the valve.

He also did not remember the new meter fit being outside (this was installed approximately two weeks prior the incident), and he did not remember smelling gas.

EXHIBIT 19

Odorant Levels Reported by BSG

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

**RESPONSE OF BAY STATE GAS COMPANY TO THE
SECOND SET OF INFORMATION REQUESTS FROM THE DPU
PIPELINE ENGINEERING AND SAFETY DIVISION**

Incident at 39 Jenny Lind Street, N. Easton (9-10-07)

Date: November 1, 2007

Responsible: F. William St. Cyr, Operations Center Manager

IR-PL 2-6: Provide the odorant level readings taken in Easton after the Incident.

RESPONSE: There were two (2) odorant level readings, at different locations, taken after the incident. Please see Attachment IR-PL-2-6.

Reading One: 224 Main Street, 3:50 pm 09/10/07.

**Threshold: 0.025
Actual: 0.07**

Reading Two: 15 Williams St., 4:20 pm 09/10/07.

**Threshold: 0.035
Actual: 0.08**



Bay State Gas
Brockton Division
Odorant Test Point
DOT 192.625

Employee Signature #1062 R. Wainman

Date 9-10-07

Town EASTON

Address 224 MAIN ST.

Time 3:50 AM PM

%Gas/Air Time 0.025 ACTUAL

%Gas/Air Readily Detectable 0.07 ACTUAL

Recheck Yes No

Instrument Used
Make HEATH TECH
Model ODORATOR 2203-3
Serial # 22033

CODE OF MASSACHUSETTS REGULATIONS, 101.06 (20), STATES THAT A READING OF .15% OR LESS GAS IN AIR IS READILY PERCEPTIBLE TO THE NORMAL OR AVERAGE OLFACTORY SENSES.

26



Bay State Gas
Brockton Division
Odorant Test Point
DOT 192.625

Employee Signature # 1062 R. HANNON

Date 7-10-07

Town SARSON

Address 15 WILLIAMS ST

Time 4:20 AM PM

%Gas/Air Threshold 0.035 ACTUAL

%Gas/Air Readily Detectable 0.08 ACTUAL

Recheck Yes No

Instrument Used
Make HEATH TECH
Model ODORATOR 2203-3
Serial # 22033

CODE OF MASSACHUSETTS REGULATIONS, 101.06 (20), STATES THAT A
READING OF .15% OR LESS GAS IN AIR IS READILY PERCEPTIBLE TO THE
NORMAL OR AVERAGE OLFACTORY SENSES.

METER # H65291

26