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MICHELLE THEBERT
FACILITIES PROTECTION UNIT DIRECTOR

EXECUTIVE SECRETARY
G.P.S.C.

Georgia Public Service Commission

(404) 463-6526
(800) 282-5813

244 Washington Street, SW
Atlanta, GA 30334-5701

FAX: (404) 463-6532
www.psc.state.ga.us

Docket No. 37066

DOCKET# 37066
DOCUMENT# 182583

City of Lumpkin Gas Department
P. O. Box 278
Lumpkin, GA 31815

Certified Mail

Regular Mail

Attention: Mr. David Davis

On June 10, 2020, a representative of the Georgia Public Service Commission Pipeline Safety/Facilities Protection Office conducted an on-site inspection of your gas system and found that previously identified probable violation(s) of the Pipeline Safety Regulations have either been cleared or are continuing, as identified below.

- Previously existing probable violation(s) has/have been cleared.
- Previously existing probable violation(s) still exist.
- Additional Enforcement
 - Notice of Proposed Violation
 - Notice of Proposed Violation with Proposed Civil Penalty
 - Warning Letter
 - Letter of Concern
 - Observed Issue
- Consent Agreement Pending

The enclosed inspection report numbered JS20-028 is provided for your information and file.

Please review and respond to this report in accordance with the attached Instructions for Responding to Enforcement Actions, Enforcement Letters, and Notifications Issued by the Georgia Public Service Commission. Please refer to Docket No. 37066 in your response.

Please let me know if there are any questions concerning this report at (404) 463-6526 or michellet@psc.state.ga.us. Thank you for your continuing contribution toward increased pipeline safety.

Sincerely,

Michelle L. Thebert
Director, Office of Pipeline Safety/Facilities Protection

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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JS20-028

OPERATOR: City of Lumpkin Gas Department

INVESTIGATOR: Jason Smith

INSPECTION DATE: June 10, 2020

REPORT MAILED DATE: September 23, 2020

Any questions concerning this report may be directed to the above address or by telephoning (404) 463-6526.

1. PURPOSE OF INSPECTION

To conduct a follow-up inspection of the Operator's previously existing probable violations.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.455	External corrosion control: Buried or submerged pipelines installed after July 31	LB10-047	5/4/2010
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JS18-001	1/23/2018

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF LUMPKIN GAS DEPARTMENT / FOLLOWUP INSPECTION
INSPECTION NUMBER JS20-028 / DOCKET NUMBER 37066

On August 31, 2020 Pipeline Safety Staff reported to the City of Lumpkin to perform a followup inspection of the Gas Department's previously existing probable violations.

During this inspection, the Operator was represented by:

Anne Holloway - Lumpkin City Clerk

David Davis - Lumpkin City Manager

Commission Staff was represented by:

Jason Smith - Lead Inspector

Kenny Rowe - Pipeline Safety Inspector

At the time of this inspection the City of Lumpkin Gas Department was under one (1) previously existing probable violation (from Inspection Number LB10-047) and they are negotiating a Consent Agreement with the Facilities Protection/Pipeline Safety Director for a Civil Penalty which was proposed in Inspection Number LB16-003. Staff reviewed this probable violation with the Operator and determined that:

In regard to probable violation of 49CFR §192.455, which was cited under followup Inspection Number LB10-047; in that inspection Staff stated that: "During the field review staff confirmed that operator has not identified the apparent bare steel risers in their system as recommended by staff in the previous inspection. After completing a field examination staff determined the following violation: 1. Violation of 49 CFR Part 192.455 External Corrosion Control."

OPERATOR RESPONSE: The Operator provided no response to this inspection report.

1ST FOLLOWUP INSPECTION: On January 31, 2011, Staff conducted a Followup inspection on the City of Lumpkin (Ref: Inspection Number LB11-008). In that inspection Staff stated that: "Staff conducted a field examination and verified that no corrections have yet been made to any of the bare steel service risers that were reported to the operator. Staff directed operator to immediately develop an acceptable schedule for making appropriate corrections and submit the schedule for Staffs approval."

OPERATOR RESPONSE: In their response letter to Inspection Number LB11-008, dated April 12, 2011, the Operator stated: "Lumpkin has identified eighty five (85) bare steel services in its system and will take appropriate action to protect, replace, insert, or remove all of these services within eighteen (18) months. Cathodic Protection (CP) readings will be taken on all of these services to ensure protection, within two (2) months. All services found to have inadequate cathodic protection will be coated, inserted, replaced (with plastic), or removed from the system within eighteen (18) months."

2ND FOLLOWUP INSPECTION: On July 7, 2011, Staff conducted an Operator Qualification (OQ) inspection on the City of Lumpkin (Ref: Inspection Number LB11-058). In that inspection Staff did not specifically address the existing probable violation; however, the probable violation was noted as a continuing probable violation.

OPERATOR RESPONSE: The Operator provided no response to this inspection report.

3RD FOLLOWUP INSPECTION: On March 22, 2012, Staff conducted an OQ inspection on the City of Lumpkin. (Ref: Inspection Number LB12-024) In that inspection Staff did not specifically address

CITY OF LUMPKIN GAS DEPARTMENT / FOLLOWUP INSPECTION
INSPECTION NUMBER JS20-028 / DOCKET NUMBER 37066

the existing probable violation; however, the probable violation was noted as a continuing probable violation.

OPERATOR RESPONSE: The Operator provided no response to this inspection report.

4TH FOLLOWUP INSPECTION: On May 8, 2012, Staff conducted a Public Awareness Program inspection on the City of Lumpkin (Ref: Inspection Number LB12-035). In that inspection Staff did not specifically address the existing probable violation; however, the probable violation was noted as a continuing probable violation.

OPERATOR RESPONSE: In their response letter to Inspection Number LB12-035, dated January 8, 2013, the Operator stated: "Lumpkin has determined that approximately 80 bare steel services remain in its system and will replace, insert or abandon these services by September 30, 2013."

5TH FOLLOWUP INSPECTION: On April 25, 2013, Staff conducted an OQ Follow Up inspection on the City of Lumpkin (Ref: Inspection Number SS13-011). In that inspection Staff stated: "Regarding the violation of 192.455 which was cited in inspection number LB10-047, Staff determined that this violation is still being addressed by the Operator and could not be cleared at this time. Staff will schedule a separate followup inspection for this probable violation."

OPERATOR RESPONSE: In their response letter to Inspection Number SS13-011, dated November 19, 2013, the Operator stated: "...Lumpkin does not seek an informal conference and files a written plan of action outlining corrective measures that will be taken to achieve compliance and when compliance is anticipated, as follows:

In April, 2013, Lumpkin hired a contractor to complete bare service remediation. Approximately 47 services have been remediated to date.

Lumpkin has identified some of the work, performed by the contractor, as unsatisfactory. All work completed by the contractor is now being reviewed by both parties.

The unsatisfactory work and review has pushed the projected completion date back. The project will be assigned to a new contractor, but will not be completed as previously projected."

6TH FOLLOWUP INSPECTION: On April 24, 2014, Staff conducted a Distribution Integrity Management Program (DIMP) inspection on the City of Lumpkin. (Ref: Inspection Number CW14-028) In that inspection Staff stated: "During this inspection, Staff found that the Operator has replaced 55 bare steel services, and is currently replacing the remaining bare steel services in-house. Staff noted that the Operator is making progress; however, 25 bare steel services remain active. Staff requested that the Operator provide an updated plan for the completion of the replacement of the remaining 25 bare steel services in their response to this inspection report. Staff determined that this violation cannot be cleared at this time."

OPERATOR RESPONSE: In their response letter to Inspection Number CW14-028, dated August 24, 2014, the Operator stated: "...Lumpkin does not contest the violation alleged or request an informal conference and files the following written updated plan of action outlining the corrective measures that will be taken to achieve compliance and when compliance is anticipated:

Lumpkin has performed many bare steel service replacements, but will not complete the remaining 25 bare steel services in house. The city will be selecting a different contractor to

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complete the replacements. Selection of a contractor and final remediation will be completed by February, 2015."

7TH FOLLOWUP INSPECTION: On March 24, 2015, Staff conducted a Comprehensive inspection on the City of Lumpkin. (Ref: Inspection Number DJ15-012) In that inspection Staff stated: "During this inspection, the Operator stated that due to unsatisfactory work from the previous hired contractor, the projected completion date had to be pushed back. Staff noted that the Operator has now selected and hired D. Lance Souther as its new contractor to complete the bare steel replacements. The Operator has replaced 2 bare steel services out of the remaining 25 bare steel services. Staff verified that the Operator is making progress; however, 23 bare steel services remain active. Operator stated that the final remediation would now be completed by December 2015. Staff determined that this violation cannot be cleared at this time."

OPERATOR RESPONSE: In their response letter to Inspection Number DJ15-012, dated July 28, 2015, the Operator stated: "...Niya Williams provides the current status, updates, expected completion dates, and proposed modifications, if any, of the Continuing and/or existing Violation(s) that were not cleared as a result of the current Inspection. §192.455 as cited in Inspection Number LB10-047 - Lumpkin agrees with the status of this Continuing Violation as described in the current Inspection Report."

8TH FOLLOWUP INSPECTION: On January 7, 2016, Staff conducted a followup inspection on the City of Lumpkin (Ref: Inspection Number DJ16-002). In that inspection Staff stated:

"During this inspection, the Operator stated that Ms. Niya Williams, Interim City Manager/City Administrator, is no longer employed by the City of Lumpkin. Also, Mr. Randy Butts is now the new City Manager. Staff noted that the Operator had previously selected D. Lance Souther as its new contractor to complete the bare steel replacements but the City of Lumpkin has not signed a contract as of yet to start the project due to major changes of employees. Staff verified that the Operator has not made any progress on the removal of 23 bare steel services in the last year and they remain active. Operator stated in Inspection Number DJ15-012 that the final remediation would be completed by December 2015 but during this inspection, the operator is requesting additional time to remove these bare steel services. Staff determined that this violation cannot be cleared at this time."

OPERATOR RESPONSE: In their response letter to Inspection Number DJ16-002, dated April 20, 2016, the Operator stated: "Lumpkin has reached agreement with a contractor to replace, insert, or remove from service the 15- 23 bare steel services that are known to be in its system. This work will begin by June 15, 2016, and will be completed by July 30, 2016."

9TH FOLLOWUP INSPECTION: On June 7, 2017 Staff conducted a followup inspection of the Operator's previously existing probable violation (Ref. Inspection Number CS17-014). In that inspection Staff stated that: "Staff determined that the Operator has taken action to address the probable violation; however, Staff also found that the Operator has not completed actions to clear this probable violation. Staff determined that this violation cannot be cleared at this time."

OPERATOR RESPONSE: In their response letter to Inspection Number CS17-014, dated September 22, 2017 the Operator stated: "Lumpkin's City Manager will prepare a plan for addressing the remaining bare steel services and will seek City Council approval of the plan at its October meeting. The response to this Continuing Violation will be updated within 30 days following the City Council meeting."

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10TH FOLLOWUP INSPECTION: On January 23, 2018 Staff conducted a followup inspection of the Operators previously existing probable violations. (Ref. Inspection Number JS18-001) In that inspection Staff stated that: “the Operator informed staff that approximately seven (7) bare services remain in their system. City budget issues have caused delay in having the work done and completed. This issue is scheduled to be heard at the City's upcoming Council meeting.

OPERATOR RESPONSE: In their response letter to Inspection Number JS18-001, dated August 1, 2018 the Operator stated that: “Lumpkin has engaged a contractor to replace the remaining bare steel services. The work will be completed by October 30, 2018.”

11TH FOLLOWUP INSPECTION: During this inspection (Inspection Number JS20-028) the Operator provided Staff with a copy of a 2nd response letter to Inspection Number JS18-002, which was dated February 6, 2019; in that letter the Operator stated that: “Lumpkin has engaged a contractor to replace the remaining bare steel services. To-date five of the seven services have been replaced. Georgia Department of Transportation permits have been requested for the remaining two bare steel services and completions are expected by March 1, 2019.” Staff notes that they could not find where this letter had been received by the Commission.

Staff asked the Operator if there had been any updates regarding the continuing probable violation. The Operator stated that the work for the remaining services had been completed, but they were not able to provide Staff with the documentation which demonstrated such. Staff informed the Operator that once they obtained the records showing the seven bare steel services had been addressed the §192.455 violation could be cleared.

Staff determined that this probable violation could not be cleared at this time.

Please review and respond to this report in accordance with the attached Instructions for Responding to Enforcement Letters Issued by the Georgia Public Service Commission.

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN THE MATTER OF:

Continuing Probable Violation Report)
City of Lumpkin Gas Department) DOCKET NO. 37066
Inspection JS20-028 on June 10, 2020)
)

CERTIFICATE OF SERVICE

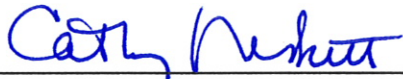
I, the undersigned, do hereby certify that I have caused to be served a copy of the foregoing, and a copy of same was served upon all parties and persons listed below via electronic mail as indicated by an asterisk I further certify that the *City of Lumpkin Gas Department* was served a hard copy of the above-stated document by U.S. Mail, certified/return receipt requested.

*Reece McAlister, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

*David Davis, City Manager
City of Lumpkin Gas Department
P.O. Box 278
Lumpkin, GA 31815
ddavis@cityoflumpkin.org

*Michelle Thebert, Facilities Protection Unit Director
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Respectfully Submitted this 24th day of September 2020:



Cathy Nesbitt, Administrative Assistant
Georgia Public Service Commission
Facilities Protection Unit
244 Washington Street, SW
Atlanta, GA 30334