

LETTER OF TRANSMITTAL

DOCUMENTS FOR FILING - RESPONSE TO REPORT ON INSPECTION

FILED

DATE: 3/30/22

MAR 31 2022

EXECUTIVE SECRETARY
G.P.S.C.

TO: Ms. Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

DOCKET# 37066
DOCUMENT# 189506

FROM: Ms. Anne Holloway, City Clerk
City of Lumpkin
P.O. Box 278
Lumpkin, Georgia 31815

DOCKET NUMBER: 37066

INSPECTION NUMBER: JJ21-050

METHOD OF FILING:

- Standard written process with 5 copies and a CD with an electronic version of the response in Microsoft Word and/or a PDF

- Alternative Electronic Filing Procedure with single hard copy sent by mail

COPIES TO: Michelle Thebert via email at mthebert@psc.ga.gov

Joe Jones via email at jjones@psc.ga.gov

Bill DeFoor via email at bdefoor@gasauthority.com

Chris Welborn via email at cwelborn@gasauthority.com

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes X No

Docket Number: 37066

Responses required within **30 days of electronic mail**. Provide the following information for this report:

Response to Inspection Number: JJ21-050

Type of Enforcement Action(s) cited in report:		Informal Conference Requested
<input checked="" type="checkbox"/> Notice of Probable Violation (NOPV)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Continuing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Notice of Amendment (NOA)	<input type="checkbox"/> New <input type="checkbox"/> Continuing	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Warning Letter	<input type="checkbox"/> New <input type="checkbox"/> Continuing	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Letter of Concern	<input type="checkbox"/> New <input type="checkbox"/> Continuing	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Observed Issue	<input checked="" type="checkbox"/> New <input type="checkbox"/> Continuing	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Proposed Civil Penalty	<u>\$10,000.00</u>	
	<small>PCP \$ Amount (Total for report)</small>	

Indicate below (A-E) based on the type of Enforcement Actions in this report: (Check all that apply)
Complete a separate copy of Page 2, Operator Response to Enforcement Action, for each cited item.

- A. Response for **Notice of Probable Violation** (with and without proposed civil penalty):
 1. Written statement indicating that corrective measures have achieved Compliance or
 2. Written plan of action outlining the corrective measures that will be taken to achieve compliance and when compliance is anticipated.

- B. Response for **NOA**:
 1. Contested: Attach written explanation, information, or other material in answer to the allegations in the Notice of Amendment stating your reasons for objecting to the NOA, in whole or in part; or
 2. Not Contested: Explanation, information, or other material believed to warrant modification of the NOA in whole or in part; or
 3. Written request for clarification. (Attached)

- C. Response for **Continuing** and/or **Existing** violations:
Current status, updates, expected completion dates, proposed modifications, etc., of the continuing and/or existing violations, even if this information was previously provided. Referencing a previously filed response letter, as status, updates, etc. alone is not sufficient for this response. Failure to provide this information may result in formal interrogatories from the Director through data requests.

- D. Response for **Letter of Concern** / **Warning Letter**
I acknowledge receipt of the Letter of Concern/Warning Letter: _____
SIGNATURE / TITLE
Additional Comments: (Optional) _____

- E. Response for **Observed Issue** and **No Violation**: (Optional Response)
Staff requests that the Operator acknowledge receipt of the Observed Issue/No Violation in writing, or by submitting an email to the FPU Director – See Operator Response Forms below

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes X No

Docket Number: 37066

Enforcement Action for: §192.467(c)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$2,500.00

Proposed Penalty for this violation

OPERATORS RESPONSE: The City of Lumpkin ("Lumpkin") will employ the services of a company specializing in cathodic protection to perform an evaluation of its entire system including this shorted casing. This work will commence in Lumpkin's next fiscal year that begins on July 1, 2022. The work will be completed by December 31, 2022, after which a plan for remedial action will be developed.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes X No

Docket Number: 37066

Enforcement Action for: §192.805(b)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$2,500.00

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will ensure that odorant sampling is performed timely beginning with the first quarter of 2022 and will ensure that this and all Covered Tasks are performed by individuals who are properly Qualified under Lumpkin's Operator Qualification Plan

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Informal Conference Requested: Yes X No

Operator Name: City of Lumpkin

Docket Number: 37066

Enforcement Action for: §192.603(b)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will ensure that patrolling will be performed timely, beginning with the first quarter of 2022, in accordance with its Operations and Maintenance Manual and related Procedures.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes X No

Docket Number: 37066

Enforcement Action for: §192.605(a)/ §192.707(a)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will install additional required line markers by May 1, 2022, subject to availability of materials.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes X No

Docket Number: 37066

Enforcement Action for: §192.605(a)/ §192.481(c)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will re-inspect its above-ground facilities by May 1, 2022, and will take remedial action as necessary.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes No

Docket Number: 37066

Enforcement Action for: §192.605(a)/§192.625(f)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$2,500.00

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will ensure that odorant sampling is performed timely beginning with the first quarter of 2022 and will ensure that this and all Covered Tasks are performed by individuals who are properly Qualified under Lumpkin's Operator Qualification Plan

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Informal Conference Requested: Yes X No

Operator Name: City of Lumpkin

Docket Number: 37066

Enforcement Action for: §192.453

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$ _____
Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will employ the services of a company specializing in cathodic protection to perform an evaluation of its entire system and will properly identify individuals responsible for design, construction, operation, and maintenance of its cathodic protection facilities. This will commence in Lumpkin's next fiscal year that begins on July 1, 2022.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes X No

Docket Number: 37066

Enforcement Action for: §192.181

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$ _____
Proposed Penalty for this violation

OPERATORS RESPONSE: The regulator station in question was installed before the adoption of the referenced requirement. The underground portions of this station have not been modified since installation and, therefore, remain covered by the "Grandfather Clause" provisions of 192.13(b) as confirmed in the PHMSA Interpretation of the requirements of 192.181 dated April 5, 1993, that was addressed to Columbia Gas Distribution Companies.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes No

Docket Number: 37066

Enforcement Action for: §192.615(c)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$2,500.00

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will conduct liaison as required during 2022 and will ensure that liaison is conducted timely in the future.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Informal Conference Requested: Yes No

Operator Name: City of Lumpkin

Docket Number: 37066

Enforcement Action for: §192.481(c)

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin will re-inspect its above-ground facilities by May 1, 2022 and will take remedial action as necessary.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Informal Conference Requested: Yes X No

Operator Name: City of Lumpkin

Docket Number: 37066

Enforcement Action for: §191.11

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$ _____
Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin has confirmed that its PHMSA Form 7100.1-1 for 2022 is based on the best available data and will continue to monitor its lost and unaccounted-for gas volume and percentage.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Informal Conference Requested: Yes No

Operator Name: City of Lumpkin

Docket Number: 37066

Enforcement Action for: §192.743

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin has documentation of confirmation of the capacity of its relief devices for 2021 and will ensure that the capacity is confirmed and documented in the future.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes No

Docket Number: 37066

Enforcement Action for: §192.455

New Violation

Continuing Violation

Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

Notice of Probable Violation (NOPV)

Notice of Amendment (NOA)

Warning Letter

Letter of Concern

Observed Issue

Proposed Civil Penalty

Conference Requested:

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

\$

Proposed Penalty for this violation

OPERATORS RESPONSE: Lumpkin has applied for a permit from the Georgia Department of Transportation to allow for the replacement of its one remaining isolated service line and will address this issue upon receipt of the permit.

Response Provided by: Anne Holloway / City Clerk
Name / Title

Date: 03/22/2022

Internal use only:

Lead Inspector: _____

Date Response Reviewed: _____

Actions Acceptable: Yes No

Re-inspection Needed: Yes No

Clear Violation: Yes No

Supervisor Review by: _____

Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Informal Conference Requested: Yes No

Operator Name: City of Lumpkin

Docket Number: 37066

Filings:

For all written responses or any other official correspondence, the Operator shall file the response at the following address:

Ms. Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

The Operator must file **five (5)** copies of any response and/or official correspondence, as well as a CD with an electronic version of the response in Microsoft Word and/or a PDF, if applicable.

Informal Conference:

Any Operator who chooses to request an informal conference shall request such a conference through emailing the Director (michellet@psc.state.ga.us), calling the Director (404-463-2765), or selecting the "Request Conference" choice.

Civil Penalty Payments:

Certified check for the full amount of the recommended civil penalty or consent agreement amount made payable to the Georgia Public Service Commission. The Operator's name, applicable Docket No., and Inspection Report No. must be included on the certified check. Mail payment to:

Ms. Michelle Thebert, Director, Facilities Protection Unit
Georgia Public Service Commission
244 Washington Street
Atlanta, Georgia 30334

Hearing Requests:

The Operator has the right to request a hearing before the full Commission to contest the alleged probable violations, recommended civil penalties, and all other proposed actions of enforcement. A request for a hearing must be submitted in writing and in accordance with Commission Rule 515-2-1-.04. The Operator must include a statement of the issues that you intend to raise at the hearing. The issues may relate to the allegations, new information, proposed compliance order, proposed civil penalty, or any other recommendation for enforcement action. Please refer to Commission Rule 515-9-3-.11 and O.C.G.A. § 46-2-91 for assessment considerations upon which civil penalties are based. An operator's failure to specify an issue may result in a waiver of the right to raise that issue at hearing. The request must also indicate whether or not the Operator will be represented by counsel at the hearing.

Open Records and Trade Secret Filings:

The Operator is advised that any material provided to the Commission, and all materials prepared by the Commission, including the Notice of Probable Violations and any Orders issued in this case, may be considered public information and subject to disclosure under the Georgia Open Records Act (O.C.G.A. § 50-18-70 et seq.). If you believe that any portion of your response material is security sensitive, privileged, confidential or may cause your company competitive disadvantages and would qualify for protection under the Commission's "Trade Secret Rule" (Commission Rule 515-3-1-.11), you must, along with the complete original document clearly marked "TRADE SECRET" on each page, provide a second copy of the document with the portions you believe qualify for trade secret treatment redacted, and an explanation of why you believe the redacted information qualifies for such trade secret treatment. Should the Commission receive a request for disclosure of any "TRADE SECRET" material, you will be notified, if after review, the materials and your provided justification are deemed not to meet any exemptions provided in the Georgia Open Records Act. You may appeal the Commission's decision to release material at that time. Your appeal will stay the release of those materials until a final decision is made.