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# Georgia Public Service Commission

(404) 463-6526
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244 Washington Street, SW
Atlanta, GA 30334-5701

FAX: (404) 463-6532
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DOCKET# 44683
DOCUMENT# 191692

Docket No. 44683

Thomaston Housing Authority
574 Triune Avenue
Thomaston, GA 30286

REF: Special Project Inspection # JJ22-048

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Ms. Patricia Allen

On September 14, 2022, a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an inspection of your gas system. The enclosed inspection report numbered JJ22-048 is provided for your information and file.

In conjunction with this inspection report, Staff has recommended the following enforcement(s):

Enforcement Action:

- ☒ Notice of Probable Violation
- ☐ Notice of Probable Violation with Proposed Civil Penalty
- ☐ Notice of Amendment

Enforcement Letter:

- ☐ Warning Letter
- ☐ Letter of Concern

Enforcement Notification:

- ☐ Observed Issue
- ☐ No Violation

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. 44683 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 Thebert

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

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## REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JJ22-048

OPERATOR: Thomaston Housing Authority

INVESTIGATOR: Joe Jones

INSPECTION DATE: September 14, 2022 REPORT MAILED DATE: September 29, 2022

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

### 1. PURPOSE OF INSPECTION

Specials Project. Staff conducted an unscheduled field review of the Operators master meter, risers, and individual unit meter sets in conjunction with their Methane Emission Reduction Plan inspection.

2. CONTINUING VIOLATIONS

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

| Violation | Description | Inspection# | Date |
|---|---|---|---|
| 192.703 | General. | JJ22-048 | 9/14/2022 |
| 192.605(a) | Each operator shall prepare and follow for each pipeline, a manual of written procedures for... | JJ22-048 | 9/14/2022 |
| 192.723(a) | Each operator of a distribution system shall conduct periodic leakage surveys in accordance with... | JJ22-048 | 9/14/2022 |
| 192.479(a) | Each operator must clean and coat each pipeline or portion of pipeline that is exposed to the... | JJ22-048 | 9/14/2022 |

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

THOMASTON HOUSING AUTHORITY / SPECIAL PROJECT INVESTIGATION
INSPECTION NUMBER JJ48-048 / DOCKET NUMBER 44683

On September 14, 2022, Staff reported to the Thomaston Housing Authority at 574 Triune Ave, Thomaston, GA 30286 to perform an inspection of the Operators Methane Emission Reduction Plan. While on site Staff also performed a field review of the master meter that served the housing complex, and the associated piping and appurtenances at some of the other individual housing units.

During this inspection the Operator was represented by Patricia Allen, Executive Director.

Commission Staff was represented by:
Joseph Jones – Lead Inspector
Daniel Clemmons – Pipeline Safety Inspector

During this field review Staff determined that:

- The meter that served Unit 214 in the Housing Authority was leaking at the riser.
- There was a leak on building 500 that was previously repaired for the Operator by Atlanta Gas Light Company. The leak appeared to be caused by corrosion, and was repaired with a temporary clamp. This leak has not been permanently repaired.
- The meters and risers that served this apartment complex do not have cathodic protection.
- The Thomaston Housing Authority does not have any staff qualified to work on the natural gas system.
- Staff verified with the Executive Director that there was no written emergency plan for their system.
- Staff performed a survey on various units and observed that the risers that were surveyed all had significant atmospheric corrosion on them.

NOTICE OF PROBABLE VIOLATION

As a result of this inspection Staff found that the Operator was in probable violation of the minimum federal safety standards; specifically:

1) CODE REQUIREMENT: 49CFR §192.703 General.
(a) No person may operate a segment of pipeline, unless it is maintained in accordance with this subpart.
(b) Each segment of pipeline that becomes unsafe must be replaced, repaired, or removed from service.
(c) Hazardous leaks must be repaired promptly.

STAFF COMMENTS: During this investigation Staff found that the riser serving 214 Triune Avenue, was leaking due to corrosion. Staff determined that the Operator failed to repair or replace an unsafe segment of pipe that was leaking in a prompt manner.

PROBABLE VIOLATION: The Thomaston Housing Authority has failed to maintain their pipeline facility in accordance with the requirements of 49CFR, Part 192 Transportation of Natural and other Gas by Pipeline; Minimum Federal Safety Standards Pipeline Safety Regulations.

2) CODE REQUIREMENT: 49CFR §192.723 - Distribution systems: Leakage surveys.
(a) Each operator of a distribution system shall conduct periodic leakage surveys in accordance with this section.

STAFF COMMENTS: During this investigation Staff found that the Thomaston Housing Authority could not produce any documentation to show that their natural gas pipeline distribution system had been surveyed for leaks as required.

PROBABLE VIOLATION: The Thomaston Housing Authority failed to conduct periodic Leakage surveys as required by §192.723.

3) CODE REQUIREMENT: 49CFR §192.479 - Atmospheric corrosion control; General.
   (a) Each operator must clean and coat each pipeline or portion of pipeline that is exposed to the atmosphere, except pipelines under paragraph (c) of this section.

   STAFF COMMENTS: During this investigation Staff observed multiple locations on the Thomaston Housing Authority gas system which have atmospheric corrosion.

   PROBABLE VIOLATION: The Thomaston Housing Authority failed to clean and each pipeline or portion of their pipeline that is exposed to the atmosphere as required by §192.479.

4) CODE REQUIREMENT: 49CFR §192.605 - Procedural manual for operations, maintenance, and emergencies
   (a) Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least one each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

   COMMENTS: Staff had a discussion with Maintenance Supervisor and the Executive Director and both advised Staff that there were no written procedures for the operation and maintenance for their distribution pipeline. The Thomaston Housing Authority also advised that they did not have emergency response procedures in writing.

   PROBABLE VIOLATION: The Thomaston Housing Authority has failed to prepare and follow a manual of written procedures for conducting operations and maintenance activities and for emergency response, as required by §192.605(a).

PROPOSED CIVIL PENALTY

Under Commission Rule 515-9-1.01, by virtue of the authority vested in the Commission by law and pursuant to orders issued by the Commission on May 4, 1967, July 6, 1967, April 23, 1968, and October 29, 1970, all Rules and Regulations prescribed by the United States Department of Transportation applicable to the "Transportation of Natural and Other Gas by Pipeline: Minimum Safety Standards" (C.F.R. 49, Parts 191 and 192) are by this Rule made the Rules and Regulations of the Georgia Public Service Commission for the safe installation and operation of all natural gas transmission and distribution facilities by companies subject to the jurisdiction of the Commission within this State.

Under Commission Rule 515-9-3-.08 (Written Formal Notice of Violation), the Commission may propose a civil penalty in conjunction with this notice of probable violation. Further, the Thomaston Housing Authority is subject to civil penalties under O.C.G.A. § 46-2-91(b) which states that: Any operator which violates any rule or regulation of the commission prescribed pursuant to subsection (i) of Code Section 46-2-20, or which fails, neglects, or refuses to comply with any order after notice thereof, shall be liable to a penalty not to exceed the maximum penalties provided for in 49 C.F.R. Section 190.223.

Staff has reviewed the circumstances surrounding the probable violations cited in this report and has elected not to propose a civil penalty at this time. However, the Operator is advised that failing to take actions to proactively address these violations and bring their system into compliance with the minimum required standards could subject them to additional enforcement at a late date.

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.

# OPERATOR RESPONSE FORM

Operator Name: Thomaston Housing Authority

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 44683

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

Response to Inspection Number:_____

| Type of Enforcement Action(s) cited in report: | | Informal Conference Requested | |
|---|---|---|---|
| ☐ Notice of Probable Violation (NOPV) | ☐ New ☐Continuing | ☐ Yes | ☐ No |
| ☐ Notice of Amendment (NOA) | ☐ New ☐Continuing | ☐ Yes | ☐ No |
| ☐ Warning Letter | ☐ New ☐Continuing | ☐ Yes | ☐ No |
| ☐ Letter of Concern | ☐ New ☐Continuing | ☐ Yes | ☐ No |
| ☐ Observed Issue | ☐ New ☐Continuing | ☐ Yes | ☐ No |
| ☐ Proposed Civil Penalty | $ _____ PCP $ Amount (Total for report) | | |

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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

# Operator Response to Enforcement Action

Enforcement Action for:_____ ☐ New Violation ☐ Continuing Violation

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

| Enforcement Action(s) cited in report: | Conference Requested: | |
|---|---|---|
| ☐ Notice of Probable Violation (NOPV) | ☐ Yes ☐ No | $_____ |
| ☐ Notice of Amendment (NOA) | ☐ Yes ☐ No | Proposed Penalty for this violation |
| ☐ Warning Letter | ☐ Yes ☐ No | |
| ☐ Letter of Concern | ☐ Yes ☐ No | |
| ☐ Observed Issue | ☐ Yes ☐ No | |
| ☐ Proposed Civil Penalty | ☐ Yes ☐ No | |

OPERATORS RESPONSE: _____

_____

_____

_____

_____

_____

_____

_____

Response Provided by: _____ Date:_____

Name / Title

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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:_____

_____

**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.

**BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION**
**STATE OF GEORGIA**

| | | |
|---|---|---|
| **IN THE MATTER OF:** | ) | |
| | ) | |
| **Probable Violation Report** | ) | **DOCKET NO. 44683** |
| **Thomaston Housing Authority** | ) | |
| **Inspection JJ22-048 on September 14, 2022** | ) | |
| | ) | |

## 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 *Thomaston Housing Authority* was served a hard copy of the above-stated document by U.S. Mail, certified/return receipt requested.

*Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

* Patricia Allen,
Thomaston Housing Authority
574 Triune Avenue
Thomaston, GA 30286

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

Respectfully Submitted this 12th day of October 2022:

Cathy Nesbitt

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