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Georgia Public Service Commission

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DOCKET# 44687
DOCUMENT# 192284

Docket No. 44687

Louisville Housing Authority
P.O. Box 628 570 Wallace Street
Waynesboro, GA 30830

REF: Methane Emission Plan Inspection # DL22-045

☐ Certified Mail ☑ Regular Mail ☐ Email

Attention: Mr. Jerry Gilpin

On August 24, 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 DL22-045 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. 44687 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: DL22-045

OPERATOR: Louisville Housing Authority

INVESTIGATOR: David Lewis

INSPECTION DATE: August 24, 2022 REPORT MAILED DATE: November 30, 2022

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

1. PURPOSE OF INSPECTION

To perform an inspection of the operators methane emission reduction plan for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020.

2. CONTINUING VIOLATIONS

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.603(c)	General - The Associate Administrator or the State Agency that has submitted a current...	DL22-045	8/24/2022

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

LOUISVILLE HOUSING AUTHORITY / METHANE EMISSION REDUCTION PLAN INSPECTION
INSPECTION NUMBER DL22-045 / DOCKET NUMBER 44687

On August 10, 2022 Pipeline Safety Staff reported to the Waynesboro Housing Authority to perform an inspection of the master meter Operator's methane emissions reduction plan for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. Waynesboro is the operator of Louisville Housing Authority. Staff utilized the Waynesboro methane emission plan to conduct the Louisville Housing Authority plan on August 24, 2022.

During this inspection the Operator was represented by:
Jerry Martin – Maintenance Supervisor
Joseph Blackstone – Maintenance Tech
Michael McClellan – Maintenance Tech
James Coker – Maintenance Tech

Commission Pipeline Safety Staff was represented by David Lewis, Lead Inspector.

NOTICE OF AMENDENT

49CFR §192.603 General
(c) The Associate Administrator or the State Agency that has submitted a current certification under the pipeline safety laws, (49 U.S.C. 60101 et seq.) with respect to the pipeline facility governed by an operator's plans and procedures may, after notice and opportunity for hearing as provided in 49 CFR 190.206 or the relevant State procedures, require the operator to amend its plans and procedures as necessary to provide a reasonable level of safety.

COMMENTS: The Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020 was signed on December 27, 2020. This statute contains a self-executing mandate requiring operators to update their inspection and maintenance plans to address eliminating hazardous leaks and minimizing releases of natural gas (including intentional venting during normal operations) from their pipeline facilities. Operators must also revise their plans to address the replacement or remediation of pipeline facilities that are known to leak based on their material, design, or past operating and maintenance history.

Section 114 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020, Public Law No. 116-260 (Act) requires operators, by December 27, 2021, to update the inspection and maintenance plan required under section 60108(a) to address the elements described in the amendments to that section outlined below:

- Section 60108(a)(2)(D) - the extent to which the plan will contribute to — (i) public safety; (ii) eliminating hazardous leaks and minimizing releases of natural gas from pipeline facilities; and (iii) the protection of the environment; and

- Section 60108(a)(2)(E) - the extent to which the plan addresses the replacement or remediation of pipelines that are known to leak based on the material (including cast iron, unprotected steel, wrought iron, and historic plastics with known issues), design, or past operating and maintenance history of the pipeline.

In Advisory Bulletin ABD-2021-01, issued on June 4, 2021, PHMSA stated that operators were to consider the following as they updated their plans to comply with section 114 of the PIPES Act of 2020: O&M plans must be detailed to address the elimination of hazardous leaks and minimization of releases of natural gas from the operators' pipeline facilities; meaning pipeline operators must update their plans to minimize, among other things, fugitive emissions and vented emissions from pipeline facilities. PHMSA also advised

in this bulletin that state inspectors would evaluate the steps taken to prevent and mitigate both unintentional, fugitive emissions as well as intentional, vented emissions.

During this inspection (DL22-045), Staff utilized PHMSA's Section 114 inspection form 27 for gas distribution operators to examine the Louisville Housing Authority's Methane Emission Mitigation Plan and found the following issues:

1. Inspection Question #6 - Do procedures identify measures for minimizing natural gas release volumes associated with non-emergency venting and blowdowns from operations and maintenance?

   STAFFS COMMENTS: Staff found section 3 of Louisville Housing Authority's plan addresses the process of purging only after taking into consideration the size of the pipe, length of section, operating pressure, location of the section of pipe and location of isolation valves. An area of concern is when listed procedures states:

   > "When facilities and the situation allows, each main pipeline to be taken out of service that operates at a pressure greater than ?? psig will have its pressure lowered until customer usage lowers the pressure on the pipeline to ?? psig."
   >
   > "If the line pressure cannot be reduced to ?? psig, the main pipeline will be shut in and isolated from customer usage, and, if the situation allows, the remaining gas will be purged of flared (if the situation allows)."
   >
   > "If a main pipeline is operating at ?? psig of less, and the nominal pipe size is two inches or less and the length is 1,000 feet or less, flaring will not be required since the amount of emission will be minimal."

   Staff asked to Operator about the question marks (??) where a numeric figure should have been. The Operator was not able to address this during the inspection.

   REQUIRED AMENDEMENT: The Louisville Housing Authority must correct this section of their plan to the pressure set-points that are currently expressed as ??.

2. Inspection Question #7 - Do procedures provide for investigation of any unanticipated vented releases of natural gas, and if so, what are the associated actions?

   STAFFS COMMENTS: Staff found section 4 of Louisville Housing Authority's plan addresses unplanned (fugitive) leaks/releases. Then under the "Leak Investigation" section statements about "If the presence of a leak is detected during an investigation, the leak is then classified using the leak grading and classification criteria as required in GPSC Rule 515-9-1-.05 Leak Standards" is crossed-out.

   "Grade 1 and Grade 2 leaks are repaired within the timeframe established under GPSC Rule 515-9-1-.05" is crossed-out.

   Language regarding Below Ground Leaks and Above Ground Leaks has also been crossed-out.

   REQUIRED AMENDMENT: The Louisville Housing Authority must correct this area of their plan to show the associated actions used to investigate unanticipated vented releases.

3. Inspection Question #10 - Do procedures define a process to identify, classify, mitigate and repair leaks?

   STAFFS COMMENTS: Staff found section 4 of Louisville Housing Authority's plan addresses unplanned (fugitive) leaks/releases. Then under the "Leak Investigation" section statements about "If the presence of a leak is detected during an investigation, the leak is then classified using the leak grading and classification criteria as required in GPSC Rule 515-9-1-.05 Leak Standards" is crossed-out.

   "Grade 1 and Grade 2 leaks are repaired within the timeframe established under GPSC Rule 515-9-1-.05" is crossed-out.

   Language regarding Below Ground Leaks and Above Ground Leaks has also been crossed-out.

   REQUIRED AMENDMENT: The Louisville Housing Authority must correct this area of their plan to show the associated actions used to investigate unanticipated vented releases.

4. Inspection Question #11 - Do procedures provide for review of Lost & Unaccounted for Gas (LAUF) and do procedures specify actions to reduce the associated volume?

   STAFFS COMMENTS: Staff found section 6 of Louisville Housing Authority's plan addresses Lost and Unaccounted for Gas (LAUF). This section references appendix H which is the procedure they use for tracking lost and unaccounted for gas, and appendix I which is how they calculate the amount of gas released at excavation damages and during purging.

   The Operator was unable to provide these appendices for Staff to review.

   REQUIRED AMENDMENT: The Louisville Housing Authority must correct this area of their plan, and show their procedures for tracking lost and unaccounted for gas and how they calculate for the amount of gas released during excavation or during purging activities.

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: Louisville Housing Authority

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 44687

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)			

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	$_____ Proposed Penalty for this violation
☐ Notice of Amendment (NOA)	☐ Yes ☐ No	
☐ 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

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:	)	
	)	
Notice of Amendment	)	**DOCKET NO. 44687**
Louisville Housing Authority	)	
Inspection DL22-045 on August 24, 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 *Louisville 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

*Jerry Gilpin,
Louisville Housing Authority
P.O. Box 628
570 Wallace Street
Waynesboro, GA 30830

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

Respectfully Submitted this 7th day of December 2022:

Cathy Nesbitt

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