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Georgia Public Service Commission

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DOCKET# 37047
DOCUMENT# 192707

Docket No. 37047

City of Douglas Gas System
P.O. Box 470
Douglas, GA 31534

REF: Comprehensive Inspection # DL22-003

☒ Certified Mail ☐ Regular Mail ☐ Email

Attention: Mr. Charles Davis

On March 1, 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 DL22-003 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. 37047 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: DL22-003

OPERATOR: City of Douglas Gas System

INVESTIGATOR: David Lewis

INSPECTION DATE: March 1, 2022 REPORT MAILED DATE: January 10, 2023

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 comprehensive inspection of the Operators plans, programs, procedures, pipeline, and pipeline facilities for compliance with the minimum federal safety standards in 49CFR Parts 191 and 192.

2. CONTINUING VIOLATIONS

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.625	Odorization of gas.	DL22-003	3/1/2022
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	DL22-003	3/1/2022
192.615(b)(2)	Train the appropriate operating personnel to assure that they are knowledgeable of the emergency...	DL22-003	3/1/2022
192.465(d)	Each operator shall take prompt remedial action to correct any deficiencies indicated by the...	DL22-003	3/1/2022
192.615(c)	Each operator shall establish and maintain liaison with appropriate fire, police, and other...	DL22-003	3/1/2022
192.723(b)(1)	A leakage survey with leak detector equipment must be conducted in business districts, including...	DL22-003	3/1/2022
192.181(a)	Each high-pressure distribution system must have valves spaced so as to reduce the time to...	DL22-003	3/1/2022
192.721(b)	Mains in places or on structures where anticipated physical movement or external loading could...	DL22-003	3/1/2022
192.615(a)(8)	Notifying appropriate fire, police, and other public officials of gas pipeline emergencies and...	DL22-003	3/1/2022
192.455(a)(1)	It must have an external protective coating meeting the requirements of §192.461	DL22-003	3/1/2022
192.455 (e)	Aluminum may not be installed in a buried or submerged pipeline if that aluminum is exposed to an...	DL22-003	3/1/2022

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF DOUGLAS NATURAL GAS SYSTEM / COMPREHENSIVE INSPECTION
INSPECTION NUMBER DL22-003 / DOCKET NUMBER 37047

On February 15, 2022, Pipeline Safety Staff sent a records and information request to the City of Douglas and began filling out PHMSA forms in preparation for a comprehensive inspection.

On April 24-28, 2022, Staff reported to the City of Douglas to conduct a comprehensive inspection of the Operators plans, programs, procedures, pipeline, and pipeline facilities for compliance with the minimum federal safety standards in 49CFR Parts 191 and 192. On May 9-11, 2022, Staff worked on information gathered and consolidated the team's information for an exit interview and written report to correlate with the PHMSA forms information gathered on site. On June 9, 2022, Staff worked on the remaining information needed to complete inspection. On June 13-14, 2022, Staff returned to the City of Douglas to gather further needed information from the operator to complete inspection. Staff continued on June 15-29, 2022, to write report and update forms.

During this inspection, the Operator was represented by:
Andrew Jackson - Gas Superintendent
Sam Yarley - MGAG/SRCS (consultant)

Commission Pipeline Staff was represented by
David Lewis - Lead Inspector
Jason Smith - Pipeline Safety Inspector
Daphne Jones - Pipeline Safety Inspector
Daniel Clemmons - Pipeline Safety Inspector

During this inspection, Pipeline Safety Staff examined the City of Douglas's Gas System operations utilizing PHMSA Form 2 – Gas Distribution – Baseline Field Inspection, PHMSA Form 2 – Gas Distribution – Baseline Procedures Review, and PHMSA Form 2 – Gas Distribution – Baseline Records to record the findings of the inspection.
Staff reviewed the City of Douglas's:

- O&M Manual
- Emergency Plan
- MAOP Procedures and records
- 5-year Patrolling & Leakage records
- 5- year Regulator & Relief Insp.
- 5- year Work orders
- 5- year Corrosion Surveys
- 5- year Atmospheric Corrosion records
- 5- year Odorization Records
- 5- year O.Q. Procedures and records
- 5- year Valve maintenance and records
- 5-year Annual 7100 Reports

During the field evaluation, Staff observed the Operator's personnel perform four (4) Protocol 9 field inspections in Coffee County, Douglas, GA. The Operator provided the individual qualifications to perform covered tasks. Staff examined the individual records before observing

the performance in the field. Staff verified that qualification records for these individuals were current.

- Jacob Phillips, Gas Technician, performed: - Task #1311 – Inspect Pipeline Surface Conditions – Patrol Right of Way or Easement, qualified 10/15/2019 thru 10/15/2024;
- Eddie Harp, Contractor/Owner, performed - Task #0101 – Inspect Rectifier and Obtain Readings, qualified 5/03/2021 thru 5/02/2026;
- Joey Casteloes performing task #1211 'Odorization – Periodic Sampling' and task #1241 'Outside Leak Investigation"; and
- Nelson 'Ty' Conney performing task #1211 'Odorization – Periodic Sampling' and task #1241 'Outside Leak Investigation'.

Staff verified that the individuals were able to perform the covered tasks according to the procedures and were able to identify generic and task specific abnormal conditions and define the applicable actions

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

NOTICE OF PROBABLE VIOLATION

1. 49CFR §192.625 Odorization of gas.
   (a) A combustible gas in a distribution line must contain a natural odorant or be odorized so that at a concentration in air of one-fifth of the lower explosive limit, the gas is readily detectable by a person with a normal sense of smell.

   COMMENTS: The odorant testing machine used by the City of Douglas is calibrated to read 1.0 for 20%, or 1/5th, of the lower explosive limit of natural gas. During this inspection Staff reviewed Douglas Gas System's records for odorant checks and found readings that failed to meet one-fifth of the lower explosive limit. From January 2017 thru December 2019 all four of the Operator's sniff points had readings between 1.02 thru 1.98. In March 2020 and August 2020 records show all four of the Operator's sniff points had readings between 1.04 thru 1.16. These levels indicate that the City of Douglas has failed to odorize their gas system as required by §192.625.

   PROBABLE VIOLATION: The City of Douglas Gas failed to ensure that their natural system was odorized so that at a concentration in air of one-fifth of the lower explosive limit, the gas was readily detectable by a person with a normal sense of smell.

2. 49CFR §192.723 Distribution systems: Leakage surveys.
   (b) The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions, but it must meet the following minimum requirements:

(1) A leakage survey with leak detector equipment must be conducted in business districts, including tests of the atmosphere in gas, electric, telephone, sewer, and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks, at intervals not exceeding 15 months, but at least once each calendar year.

COMMENTS: During this inspection Staff found the Operator's March 2021 business district leak survey records indicated five (5) addresses were skipped during the survey. All five of these locations indicate 'Gate Locked'.
#1 was Jewells Auto @ 1260 Hwy 221,
#2 was Deep South @ Hwy 32,
#3 was Southwire #1 @ 1545 Kellogg Drive,
#4 was 1217 Turner Street, and
#5 was 1350 South Gaskin Avenue.

Staff asked the Operator if they followed-up later to do the survey at the above addresses; the Operator indicated they did not follow-up at the five locations that were missed.

PROBABLE VIOLATION: The City of Douglas Gas System failed to conduct leakage surveys at intervals not exceeding 15 months, but at least once each calendar year inside their business districts as required by §192.723(b)(1).

3. 49CFR, §192.465 - External corrosion control: Monitoring.
(d) External Corrosion Control; Monitoring. Each Operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

STAFFS COMMENTS: In the City of Douglas's Operations and Maintenance Procedures Manual in Section 9-G - External Corrosion Control – Monitoring, it states:

(d) City of Douglas will take prompt remedial action to correct any deficiencies indicated by the monitoring.
(2) Remedial action should correct the deficiency before the next required monitoring cycle required. However, if remedial action cannot be completed prior to the next scheduled monitoring cycle, City of Douglas will develop, document, and follow a written plan the actions taken to correct the deficiency and state the expected timeframe for completion.

During this inspection (DL22-003), Staff identified three locations where cathodic protection pipe to soil criteria has not been achieved from 2017 through 2021. The Chester Avenue at Karen Lane location has been below criteria with a broken bond wire from 2017 to 2019 and in Year 2021 with no work orders showing how this location was corrected. The East McDonald Rd at Peachtree location has been below criteria with a broken bond wire from 2017 to 2018 with no work orders showing how this location was corrected. The New Forest Road at Mahogany Road location has been below criteria with a broken bond wire from 2018 to 2019; however, on January 30, 2020, the Operator created a work order that showed the repair of the bond wire on the main for just this location.

PROBABLE VIOLATION: The City of Douglas Gas System failed to take prompt remedial action to correct discrepancies found during monitoring of their cathodic protection system.

4. 49 CFR, §192.615 – Emergency Plans
   (b) Each operator shall:
      (2) Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.

   COMMENTS: In September 2019, Operator added three employees to the Emergency Manual training, but they were not "signed off" on the Appendix P "Verification of Emergency Manual Training" form. There is no sign-off sheet for 2020 training.

   PROBABLE VIOLATION: The City of Douglas failed to train new personal on the Emergency Manual as required by 49 CFR, §192.615(b) (2).

5. 49CFR, §192.615 – Emergency plans
   (c) Each operator shall establish and maintain liaison with appropriate fire, police, and other public officials to:
      (1) Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency;
      (2) Acquaint the officials with the operator's ability in responding to a gas pipeline emergency;
      (3) Identify the types of gas pipeline emergencies of which the operator notifies the officials; and,
      (4) Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.

   COMMENTS: During this inspection Staff found that the Operator failed to include all public officials as required for liaison namely all utility operators in their service area. Douglas's Emergency plan does not provide definition for public officials. City of Douglas has electric, water, telecom/communication providers, Satilla EMC, and Georgia Power and there are no records found for any of these on liaison meetings.

   PROBABLE VIOLATION: The City of Douglas Gas System failed to perform liaison with all required public officials in their service area for emergency preparedness.

6. CODE REQUIREMENT: 49CFR, §192.721 - Distribution systems: Patrolling.
   (b) Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage must be patrolled -
      (1) In business districts, at intervals not exceeding 4 1/2 months, but at least four times each calendar year; and
      (2) Outside business districts, at intervals not exceeding 7 1/2 months, but at least twice each calendar year.

COMMENTS: In the City of Douglas O&M Procedures Manual, in Section 13-O, Distribution System Patrolling, references Appendix V-4 which identifies the mains that are to be patrolled. This section also references OQ Procedure 1311, which states in the "REPORTING/NOTIFICATION" section that personnel are to "Complete documentation in accordance with Operation and Maintenance Manual." ~~In~~ Section 13-O also references Appendix V-6, "Distribution Patrolling Report Form."

During this inspection Staff found that the Operator's personnel were not completing Appendix V-6 for the mains, which are identified for patrolling in Appendix V-4 but are simply initialing the bottom of a printout of Appendix V-4.

PROBABLE VIOLATION: The City of Douglas Gas System failed to document their patrols required by §192.721 in accordance with their established procedures.

WARNING LETTER

1. §192.605 Procedural manual for operations, maintenance, and emergencies
   (a) General. 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 once 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. Specifically:

   (a) 49CFR §192.756 Joining plastic pipe by heat fusion; equipment maintenance and calibration.
   Each operator must maintain equipment used in joining plastic pipe in accordance with the manufacturer's recommended practices or with written procedures that have been proven by test and experience to produce acceptable joints.

   COMMENT: During this inspection (DL22-003), staff reviewed the procedure for the City of Douglas (O&M Section 13-CC) which states: "City of Douglas will maintain equipment used in joining pipe in accordance with the manufacture's recommended practices or with procedures that have been proven by test and experience to produce acceptable joints."

   Staff examined Douglas's Electrofusion Certificate of Calibration on their FRIATEC equipment (certificate # 66149572) with a calibration date of February 1, 2021 and posted on the equipment a next calibration date of February 1, 2022. At the time of this inspection (April 24, 2022), the equipment was out date for a calibration; however, the Operator had not performed any fusions since the machine's qualifications had expired.

PROBABLE VIOLATION: The City of Douglas Gas System failed to follow their procedures and maintain a current calibration on their electrofusion equipment.

NOTICE OF AMENDMENT

1) §192.455 External corrosion control: Buried or submerged pipelines installed after July 31, 1971.
   (a) Except as provided in paragraphs (b), (c), (f) and (g) of this section, each buried or submerged pipeline installed after July 31, 1971, must be protected against external corrosion, including the following:
   (1) It must have an external protective coating meeting the requirements of §192.461.

   STAFFS COMMENTS: The City of Douglas's procedures for external coatings are in Section 9-B of their O&M Procedures. The City of Douglas's requirements for compliance are in Section 9-E of their O&M Manual. Section 9-E, Item F states: "City of Douglas will select and apply, including surface preparation, a coating as appropriate for the situation and as determined by a person qualified to perform pipeline corrosion control design per Section 9-A(b)(1) in accordance with standards and specifications included in City of Douglas's Construction Manual."

   During this inspection Staff found that the City of Douglas does not have a Construction Manual.

   REQUIRED AMENDMENT: The City of Douglas must amend their procedures to address the requirements of §192.455(a)(1).

2) CODE REQUIREMENT: 49 CFR, §192.181 - Distribution line valves:
   (a) Each high-pressure distribution system must have valves spaced so as to reduce the time to shut down a section of main in an emergency. The valve spacing is determined by the operating pressure, the size of the mains, and the local physical conditions.

   STAFFS COMMENTS: During this inspection the Operator was unable to provide a process for the placement of distribution line valves in accordance with Part 192.181. Because the Operator could not define where these valves are required Staff could not determine if the Operator could perform an emergency shutdown and/or pressure reduction in any section of their pipeline system if it were necessary to minimize hazards to life or property as required by §192.615(a)(6)

   Because the Operator could not demonstrate an actual process of how they determine where to install specific valves, Staff cannot determine if the Operator has complied with the requirements of §191.181(a), or if they can meet the requirements of §192.615(a)(6).

   During this inspection Staff found no procedures for placement of valves for emergency response and regulator stations. Operator was unable to provide a process in their emergency

plan how, when or where an emergency shutdown would take place in any section of their system. Also, the Operator's emergency valves listed in their emergency plan do not identify which valve or valves shuts off a particular pipeline section in the event of an emergency.

REQUIRED AMENDMENT: The City of Douglas must amend their procedures to address the placement of distribution line valves for their system.

3) 49CFR, §192.615 Emergency plans.
(a) Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:

(8) Notifying appropriate fire, police, and other public officials of gas pipeline emergencies and coordinating with them both planned responses and actual responses during an emergency.

COMMENT: During this inspection, DL22-003, Operator's Emergency Plan does not include a procedure for notifying fire, police, and other appropriate public officials of gas emergencies. Also, Operator does not have a procedure for identifying a designated person for notifying 911 emergency call centers for any community/jurisdiction where the operator's pipelines are located when a possible pipeline rupture is indicated.

REQUIRED AMENDMENT: The City of Douglas must amend their procedures to address notifying appropriate fire, police, and other public officials of gas pipeline emergencies and for identifying a designated person for notifying 911 emergency call centers.

4) 49CFR, §192.455 External corrosion control: Buried or submerged pipelines installed after July 31, 1971.
(e) Aluminum may not be installed in a buried or submerged pipeline if that aluminum is exposed to an environment with a natural pH in excess of 8, unless tests or experience indicate its suitability in the particular environment involved.

STAFFS COMMENTS: The City of Douglas's O&M Procedures for buried or submerged pipelines installed after July 31, 1971, do not address the requirements of §192.455(e). Staff notes that Section 9-F of the O&M procedures indicates that they do not have buried or submerged amphoteric metal, however, Staff found no indication that the City of Douglas prevents the installation of aluminum in their system.

REQUIRED AMENDMENT: The City of Douglas must amend their procedures to address the requirements of §192.455(e).

ITEM OF CONCERN

1. 49 CFR, §192.605- Procedural manual for operations, maintenance, and emergencies

(b) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.
(3) Making construction records, maps, and operating history available to appropriate operating personnel.

STAFFS COMMENTS: During this inspection DL22-003, Staff reviewed the master map in the gas superintendent's office and found that it had not been updated since February 1965 and the City of Douglas had used post it notes and penciled in to note areas of pipeline that were added and out of scope of the map.

STAFFS CONCERN: The City of Douglas has failed to maintain adequate maps of their system and make them available to all appropriate operating personnel for them to use during their operations, maintenance and emergency response under Part 192.605(b)(3).

2. §192.603 General provisions
(b) Each operator shall keep records necessary to administer the procedures established under §192.605.

STAFFS COMMENTS: Under §192.625(f) each operator must conduct periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable.

Odorization is addressed in Section 12-U of the City of Douglas Operations and Maintenance Procedures Manual. This section refers the reader to OQ Procedure 1211 - Odorization – Periodic Sampling. In the "REPORTING/NOTIFICATION" section of this procedure it states that personnel are to "Complete documentation in accordance with Operation and Maintenance Manual."

Staff noted that the form, which is referenced in the Operators on-line manual, Appendix U-2, is not the form which is being used by the Operator to record their odorant sampling. Staff also noted that the readings are not documented in a consistent format, and the records do not document the actual machine that was used to perform the test or demonstrate that the calibration of the machine was current at the time of the test.

While reviewing the Operator's odorant test readings, Staff also noticed that a significant number of readings were the same; (1.00%) at all four odorant testing points on multiple dates. (Feb. 2020, April 2020, June & July 2020, Sept. 2020 thru Dec. 2020; Feb. 2021 thru May 2021, July 2021, Aug. 2021 thru Dec. 2021; Jan. 2022 thru April 2022). While this could indicate that an alternate testing procedure was being used, the records do not indicate this, and the OQ procedure only advises that "Each instrument used for periodic odorization sampling shall be operated and maintained in accordance with the manufacturer's recommended operating instructions."

Staff notes that during field audits with Douglas Gas System personnel, the form that was used to document this test is not the same for that has been historically used by the Operator. This form captures information on the testing machine and refers the person conducting the test to the calibration chart on the machine. Staff also notes that the odorant testing point readings taken in Staff's presence were significantly higher than the Operators previously recorded levels.

STAFFS CONCERN: Staff is concerned with the process the City of Douglas is using to perform and document their odorant sampling.

3. §192.615 Emergency plans.
   (b) Each operator shall:
      (3) Review employee activities to determine whether the procedures were effectively followed in each emergency.

COMMENT: During this inspection DL22-003, Staff reviewed Operator's procedure that indicated that the form in Appendix Q would be completed whenever the Operator reviewed their employees' actions following an emergency. Staff reviewed an emergency leak-inside/outside call at 202 N. Coffee Ave. on March 27,2022 and found no documentation of a review of employee's activity on a form appendix Q.

Prior to the completion of this inspection the Operator revised their procedure to indicate that
"4) As soon as practical, following each significant event or field exercise that involves the use of the emergency plan, employee activities shall be reviewed to determine whether the procedures were effective and appropriately followed.
   a. Generally, a review of work orders or other completed documentation from field personnel will serve as documentation to support those procedures are effective and followed. However, in those instances where the event warrants contacting PHMSA, Appendix Q should be completed and filed."

STAFFS CONCERN: Staff is concerned that the Operator may not have been reviewing their employee's activities as required. Staff is also concerned that the Operator's process only requires a review after "each significant event," instead of reviewing them following each emergency as required under §192.615(b)(3).

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 City of Douglas 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 recommended the civil penalty/penalties listed below. Please note that this recommended amount is less than the amount authorized by Georgia law.

Item #	Code / Rule	Description	Proposed Penalty
1	§192.625(a)	Odorization	$5,000.00
2.	§192.723(b)(1)	Leakage Survey	$5,000.00
3.	§192.465	External corrosion control: Monitoring	$5,000.00
TOTAL PROPOSED PENALTY			$15,000.00

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: City of Douglas

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37047

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:	)	
	)	
Violation(s) with Proposed Civil Penalty;	)	**DOCKET NO. 37047**
Notice of Amendment; Warning Letter;	)	
and Letter of Concern	)	
City of Douglas Gas System	)	
Inspection DL22-003 on March 1, 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 *City of Douglas Gas System* 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

*Charles Davis, City Manager
City of Douglas Gas System
P.O. Box 470
Douglas, GA 31534

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

Respectfully Submitted this 18th day of January 2023:

Cathy Nesbitt

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