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Georgia Public Service Commission

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

244 Washington Street, SW
Atlanta, GA 30334-5701

FAX: (404) 463-6532
psc.ga.gov

DOCKET# 37090
DOCUMENT# 192929

Docket No. 37090

City of Thomson Gas System
210 Railroad Street
Thomson, GA 30824

REF: DIMP – Implementation Inspection # JS22-007

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Kenneth Usry

On March 22, 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 JS22-007 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. 37090 in your response.

Please let me know if there are any questions concerning this report at (404) 985-4271 or mthebert@psc.ga.gov. 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: JS22-007

OPERATOR: City of Thomson Gas System

INVESTIGATOR: Jason Smith

INSPECTION DATE: March 22, 2022 REPORT MAILED DATE: January 25, 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 an inspection of the Operator's implementation of their Distribution Integrity Management Program (DIMP) for compliance with the minimum federal standards in 49CFR Part 192, SubPart P.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.195(a)	General requirements. Except as provided in §192.197, each pipeline that is connected to a gas...	JS17-013	5/8/2017
192.473(a)	Each operator whose pipeline system is subjected to stray currents shall have in effect a...	JS17-013	5/8/2017
192.473(b)	Each impressed current type cathodic protection system or galvanic anode system must be designed...	JS17-013	5/8/2017
Under Consent Agreement	Operator is under a Consent Agreement.	AT20-002	1/8/2020
192.616	Public education.	JH20-010	2/24/2020

3. CLEARED VIOLATIONS

Cleared on 3/22/2022

Violation	Description	Inspection#	Date
192.463(a)	Each cathodic protection system required by this subpart must provide a level of cathodic...	JS17-013	5/8/2017

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.1007(f)	Periodic Evaluation and Improvement.	JS22-007	3/22/2022

5. OTHER RECOMMENDATIONS/COMMENTS

On March 22, 2022 Pipeline Safety Staff reported to the city of Thomson Gas System to perform a Distribution Integrity Management Implementation inspection.

During this inspection, the Operator was represented by:
Rodney Dunaway - Gas Superintendent
Chris Cawley - MGAG/SRCS (consultant)

Staff was represented by:
Jason Smith - Lead Inspector
Daphne Jones - Pipeline Safety Inspector

At the time of this inspection the City of Thomson Gas System was under five (5) previously existing probable violations. These violations will be addressed under follow-up Inspection #JS22-006.

During this inspection Staff performed three (3) Protocol 9 OQ evaluations.
Cory Baxter performed task #1291 – Locate Underground Pipelines; qualifications valid 2/10/2022 thru 2/10/2023.
Mitchell Hall performed task #0101 – Inspect Rectifier and Obtain Readings; qualifications valid 1/13/2020 thru 1/13/2025.
Nate Gilmore performed task #0681 – Joining of Plastic Pipe; Stab Fittings; qualifications valid 2/11/2022 thru 2/11/2023.

Staff confirmed each individual was able to perform their respective tasks in accordance with the Operator's procedures. All three (3) were aware of the task specific and generic abnormal operating conditions associated with each task.

PROBABLE VIOLATION

§192.1007 What are the required elements of an integrity management plan?
(f) Periodic Evaluation and Improvement. An operator must re- evaluate threats and risks on its entire pipeline and consider the relevance of threats in one location to other areas. Each operator must determine the appropriate period for conducting complete program evaluations based on the complexity of its system and changes in factors affecting the risk of failure. An operator must conduct a complete program re-evaluation at least every five years. The operator must consider the results of the performance monitoring in these evaluations.

INSPECTION QUESTION - PHMSA DIMP Implementation inspection form
Question #31. Periodic Evaluation - Implementation (Performance Measures).
Did the periodic evaluation indicate that the selected performance measures are assessing the effectiveness of risk reduction measures, and, if not, were performance measures modified, deleted or added?

STAFF'S COMMENTS: Sec 7.3 of the Operator's DIMP Plan states that: "Monitoring results and evaluating effectiveness is addressed in Chapter 8, PERIODIC EVALUATION AND IMPROVEMENT of this Plan."

Chapter 8 of the Operator's DIMP Plan states that "THOMSON GAS SYSTEM, CITY OF will conduct a complete re-evaluation of this Plan no less than Every Five (5) Years." It also states that: "Section 11.5, "PLAN CHANGE LOG" provides a log of the plan changes detailing differences between this Plan (Version 2.4.2) and the previous Plan (Version 2.4.1)."

Staff found that Sec 11.5 of the Operator's DIMP Plan is titled: "THREAT, RISK RANK, ADDITIONAL ACTIONS AND PERFORMANCE MEASURES ORGANIZED BY THREAT-SECTION." Staff performed a search of the Operator's plan but could not find the "Plan Change Log" referenced in Chapter 8. When asked about the absence of the plan change log, the Operator was not able to explain why their DIMP was missing this log.

PROBABLE VIOLATION: The Operator failed to demonstrate that they performed a periodic evaluation to ensure that their selected performance measures are assessing the effectiveness of their risk reduction measures, and, if not, were the performance measures modified, deleted or added as required by §192.1007 (f) and their DIMP procedures.

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 THOMSON GAS SYSTEM

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37090

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 Report	)	**DOCKET NO. 37090**
City of Thomson Gas System	)	
Inspection JS22-007 on March 22, 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 Thomson 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

*The Honorable Kenneth Usry, Mayor
City of Thomson Gas System
210 Railroad Street
Thomson, GA 30824
kenneth.usry@thompson.mcduffie.net

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

Respectfully Submitted this 26th day of January 2023:

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