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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# 37081
DOCUMENT# 193105

Docket No. 37081

City of Social Circle Gas Department
P. O. Box 310
Social Circle, GA 30025

REF: Comprehensive Inspection # KR22-038

☒ Certified Mail ☐ Regular Mail ☐ Email

Attention: Mr. Eric Taylor

On December 12, 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 KR22-038 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. 37081 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: KR22-038

OPERATOR: City of Social Circle Gas Department

INVESTIGATOR: Kenny Rowe

INSPECTION DATE: December 12, 2022 REPORT MAILED DATE: January 30, 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
192.465(d)	Each operator shall take prompt remedial action to correct any deficiencies indicated by the...	KR22-038	12/12/2022
192.615(c)	Each operator shall establish and maintain liaison with appropriate fire, police, and other...	KR22-038	12/12/2022
192.181(a)	Each high-pressure distribution system must have valves spaced so as to reduce the time to...	KR22-038	12/12/2022
192.625(f)	To assure the proper concentration of odorant in accordance with this section, each operator must...	KR22-038	12/12/2022
192.615(a)(8)	Notifying appropriate fire, police, and other public officials of gas pipeline emergencies and...	KR22-038	12/12/2022
192.615(a)(6)	Emergency shutdown and pressure reduction in any section of the operator's pipeline system neces...	KR22-038	12/12/2022

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF SOCIAL CIRCLE / COMPREHENSIVE INSPECTION
INSPECTION NUMBER KR22-038 / DOCKET NUMBER 37081

From December 12th, 2022, to December 20th, 2022, Staff reported to the City of Social Circle to perform a comprehensive inspection. The inspection consisted of an examination of the Operators O&M Manual, emergency plan, records and pipeline facilities for compliance with the minimum federal safety standards.

During the inspection, the Operator was represented by:
Paul Schlageter – Social Circle Gas Director
Wade Sharpe – MGAG/SRCS (Consultant)
Lori Lamberth – MGAG/SRCS (Consultant)

Commission Staff was represented by:
Kenny Rowe- Lead inspector
Joe Jones – Pipeline Safety Inspector
Brant Sweat– Pipeline Safety Inspector
Daniel Clemmons – Pipeline Safety Inspector

At the time of this inspection the City of Social Circle was under no previously existing probable violations.

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. 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:
      (6) Emergency shutdown and pressure reduction in any section of the operator's pipeline system necessary to minimize hazards to life or property.

   COMMENTS: During this inspection staff reviewed Section V of Social Circles Emergency Plan. In this section it references Appendix L for procedures to use in case of an emergency for shutdown. However, no procedures were found in appendix L. Staff also reviewed maps of emergency valves and the mapping does not indicate what valves would shut down specific areas of Social Circles system.

   PROBABLE VIOLATION: The City of Social Circle failed to provide procedures for a emergency shutdown of their system. Also, critical valve map provided does not indicate what valves shutdown what areas of the system.

2. 49CFR, §192.625 – Procedural manual for operations, maintenance, and emergencies.
   (f) To assure the proper concentration of odorant in accordance with this section, 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.

   COMMENTS: During this inspection Staff reviewed periodic odorization records along with Section 12-U Odorization of Gas of the operators O&M plan. This section references task procedure #1211-Odorization: Periodic Sampling, which can be found on Page 583 of the Operators O&M plan. Under Calibration of Instruments, it states: each instrument used for periodic odorization sampling shall be calibrated in accordance with the manufacturer's recommended calibration instructions. In Chapter 11 on page 5 of the manufacturer's instruction of Social Circles Odorometer it states: For regulatory

compliance, instrument calibration and maintenance a factory calibration is recommended every 12-15 month from the date of the previous factory calibration. During this inspection the Operator could not provide calibration records for their odormeter 2017 and 2018.

PROBABLE VIOLATION: The City of Social Circle failed to ensure that their instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable was maintained in accordance with the manufacturers procedures as required by their Operations and Maintenance Procedures for the years of 2017 and 2018.

3. 49CFR, §192.181- Distribution line valves.
   (a) Each regulator station controlling the flow or pressure of gas in a distribution system must have a valve installed on the inlet piping at a distance from the regulator station sufficient to permit the operation of the valve during an emergency that might preclude access to the station.

   COMMENTS: During this inspection Staff requested a listing of the City of Social Circle regulator stations and their inlet valves. The Operator advised Staff that they have 18 regulator stations, however, three (3) of these stations do not have inlet valves as required by §192.181(b). The Operator could also not demonstrate if these stations were installed pre-code and therefore not subject to the requirements of §192.181(b). These stations are identified as HD- Atha covered up under road, Town border Station #2, and Camp Lake Road could not find valves.

   PROBABLE VIOLATION: The City of Social Circle failed to ensure that each regulator station controlling the flow or pressure of gas in a distribution system has a valve installed on the inlet piping at a distance from the regulator station sufficient to permit the operation of the valve during an emergency that might preclude access to the station.

4. 49CFR, §192.465 – External corrosion control: Monitoring
   (d) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

   COMMENTS: During this inspection, Staff found that the Operator had not taken prompt remedial action on service at 195 S. Forest Ave, 1633 S. Cherokee (EOL), and at 402 Willow Dr. The pipe to soil readings at these locations were below criteria from 2017 to 2020

   PROBABLE VIOLATION: The City of Social Circle failed to take remedial action on discrepancies found during monitoring of their cathodic protection system.

NOTICE OF AMENDMENT

1. 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.

   COMMENTS: During this inspection (KR22-038), Staff reviewed Section II of Social Circles Emergency Plan and found that the Operator's plan 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 Social Circle must amend their procedures to identify a designated person for notifying 911 emergency call centers during an emergency.

2. 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 reviewed section X of Social Circles Emergency Plan and found that the Operator failed to include all public officials as required for liaison, namely all utility operators in their service area. Staff reviewed records from GA-811 which indicated that there are 81 other utility operators in Newton and Walton County. The Operator could not demonstrate that they have reviewed their specific operation area to determine which utilities should be receiving liaison activities. Staff did identify that the City of Social Circle has telecommunication (AT&T), and two other electric utility companies (Georgia Power & Walton EMC) in their area and no records were found for liaison meetings with these operators.

   REQUIRED AMENDMENT: The City of Social Circle Gas System must amend their procedures for liaison activities to determine what other utility companies are in their operating area that require liaison activities.

Staff also conducted four (4) OQ Protocol 9 inspections on Mr. Robert Hammock, for the following covered tasks:

- Task #1211 Odorization – Periodic Sampling, Qualified thru 02/07/24
- Task #0331-0341 Valve / Visual Insp and Partial Operation, Qualified thru 02/10/24
- Task #1231 Inside Gas Leak Investigation, Qualified thru 03/09/24
- Task #1241 Outside Gas Leak Investigation, Qualified thru 04/01/25

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 Social Circle 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
2	§192.625(f)	Odorization	$5,000.00
4	§192.465(d)	External Corrosion Control	$5,000.00
TOTAL PROPOSED PENALTY			$10,000.00

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

Informal Conference Requested: Yes ☐ No ☐

Operator Name: CITY OF SOCIAL CIRCLE GAS DEPARTMENT

Docket Number: 37081

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) Report with Proposed Civil	)	**DOCKET NO. 37081**
Penalty and Notice of Amendment	)	
City of Social Circle Gas Department	)	
Inspection KR22-038 on December 12, 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 Social Circle Gas Department* 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

*Eric Taylor, City Manager
City of Social Circle Gas Department
P. O. Box 310
Social Circle, GA 30025
etaylor@socialcirclega.gov

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

Respectfully Submitted this 7th day of February 2023:

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