OPERATOR RESPONSE FORM

Operator Name: Georgia Dept of Corrections

Informal Conference Requested: **Yes X** No

Docket Number: 40567

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

Response to Inspection Number: AT22-028

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	$ n/a 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: see response below ☒ 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	$ n/a
☐ Notice of Amendment (NOA)	☐ Yes ☐ No	
☐ Warning Letter	☐ Yes ☐ No	
☐ Letter of Concern	☐ Yes ☐ No	
☒ Observed Issue	☒ Yes ☐ No	
☐ Proposed Civil Penalty	☐ Yes ☐ No	

Proposed Penalty for this violation

OPERATORS RESPONSE: **Continuing Violations**: GDC has solicited proposals from qualified contractors to perform the services necessary to cure the violations cited in the Walker State Prison inspection report AT16-021. These violations include 192.465 external corrosion control monitoring, 192.481 atmospheric corrosion control monitoring, 192.616 public education, 192.805 qualification program, 192.1015(a) develop and implement a pipeline integrity management plan, 192.723(b)(2) conduct leakage survey outside business district as prescribed, 192.605(a) prepare manual of written procedures for conducting operations and maintenance activities and emergency response, 192.747(a) conduct valve operation and inspections as prescribed, 192.615(c) Establish and maintain liaison with fire, police and other entities as prescribed. GDC anticipates the procurement of contract services and execution of all noted tasks will be complete at Walker State Prison by September 1, 2023. GDC is simultaneously exploring available procurement options to hire a contractor to perform the same services noted herein at other GDC master meter operator sites as identified by the Georgia Public Service Commission to date. These other facilities include Hays State Prison (Trion), Lee Arrendale State Prison (Alto), Phillips State Prison (Buford), Georgia Diagnostic & Classification Prison (Jackson), Georgia State Prison & Rogers State Prison (Reidsville), and Ware State Prison (Waycross). The Department anticipates that the procurement of contract services and execution of all noted tasks will be complete at these additional facilities by December 31, 2024. GDC will add other facilities as necessary and provide progress and status updates to the Georgia Public Service Commission as any changes occur.

New NOPV: GDC is currently in process with addressing the items noted above as continuing violations. The Department has also had limited preliminary discussions with contractors regarding the best path to remedy for GDC to address the development and implementation of its Methane Emission Reduction Plan at each of the facilities noted above and other facilities identified as master meter operator sites. GDC anticipates that the process of contract solicitation, award and funding will take approximately 18 months with a tentative completion date of December 31, 2024. **GDC requests an informal conference to clarify its understanding of how its facilities are determined to qualify as master meter operator status.**

Response Provided by: Billy Sanders, Senior Manager Date: June 06, 2023
Name / Title

OPERATOR RESPONSE FORM

Operator Name: Georgia Dept of Corrections

Informal Conference Requested: **Yes X** No

Docket Number: 40567

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:

Mr. Reece McAlister, 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.