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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 No. 37054

DOCKET# 37054
DOCUMENT# 205073

Fort Valley Utility Commission
P. O. Box 1529
Fort Valley, GA 31030

REF: Follow Up Inspection # JJ23-008

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Clay Walker

On January 30, 2023, a representative of the Georgia Public Service Commission Pipeline Safety/Facilities Protection Office conducted an on-site inspection of your gas system and found that previously identified probable violation(s) of the Pipeline Safety Regulations have either been cleared or are continuing, as identified below.

- ☐ Previously existing probable violation(s) has/have been cleared.
- ☒ Previously existing probable violation(s) still exist.
- ☐ Additional Enforcement
  - ☐ Notice of Proposed Violation
  - ☐ Notice of Proposed Violation with Proposed Civil Penalty
  - ☐ Warning Letter
  - ☐ Letter of Concern
  - ☐ Observed Issue
- ☐ Consent Agreement Pending

The enclosed inspection report numbered JJ23-008 is provided for your information and file.

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. 37054 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: JJ23-008

OPERATOR: Fort Valley Utility Commission

INVESTIGATOR: Joe Jones

INSPECTION DATE: January 30, 2023 REPORT MAILED DATE: July 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 follow-up inspection of the Operators previously existing probable violations.

2. CONTINUING VIOLATIONS

3. CLEARED VIOLATIONS

Cleared on 1/30/2023

Violation	Description	Inspection#	Date
192.616	Public education.	AT20-001	1/6/2020

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JJ23-008	1/30/2023

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF FORT VALLEY UTILITY COMMISSION / FOLLOW-UP INSPECTION
INSPECTION NUMBER JJ23-008 / DOCKET NUMBER 37054

On January 31, 2023, Staff reported to the Fort Valley Utility Commission Gas System to complete this follow-up inspection of the Operator's previously existing probable violation.

During this inspection the Operator was represented by: - Utilities Director
Robbie Johns – Operations Manager
Clay Walker – General Manager
Wade Shape – SRCS/MGAG (consultant)

Commission Staff was represented by:
Joseph Jones - Lead Inspector
Daphne Jones - Pipeline Safety Inspector

At the time of this inspection the City of Fort Valley Gas System was under one (1) previously existing probable violation. Staff reviewed this probable violations with the Operator and determined that:

PROBABLE VIOLATION CLEARED

1. In regard to probable violation 49CFR §192.616 which was cited in Inspection #AT20-001; in the report Staff stated: "Based on the deficiencies identified under Questions 15, 18, 22 and 23 of the PHMSA Public Awareness Program Effectiveness Inspection Checklist, the Fort Valley Utility Commission has failed to conduct a Public Awareness Program as required by 49CFR §192.616."

   Staff proposed a civil penalty of $5,000.00 for this probable violaiton.

   OPERATOR RESPONSE: In their response letter to Inspection Number AT20-001, dated August 13, 2020, the Fort Valley Utility Commission stated that: "FVUC has requested an Informal Conference with the Director to discuss the NOPV and proposed civil penalty. FVUC also provides the following response to the Probable Violation associated with the Proposed Civil Penalty:"

   PROGRAM DEFICIENCIES

   (a) Question #15
   COMMENTS: Operator records on file indicated they have performed an annual audit each calendar year for last 2 years. Prior to 2018 no annual audit records were found during this inspection. Administrator change occurred and those records have not been located since the change."

   OPERATOR RESPONSE: In their response letter to Inspection Number AT20-001, dated August 13, 2020, the Fort Valley Utility Commission stated that: "FVUC will continue to perform reviews of its program implementation annually as required by the regulation."

FOLLOW-UP INSPECTION: During this inspection (JJ23-008) Staff determined that the Operator has taken action to address the probable violation by providing documentation to support that they have conducted Annual Reviews that is prescribed in section 11, under Assessment & Evaluation. Operator has documentation from 2018 thru 2022 to show they have documentation for the last four (4) years.

Staff determined that this probable violation can be cleared at this time.

(b) Question #18
COMMENTS: Operator completed last evaluation in December 19, 2019. Prior to that the previous evaluation was in February 2014. Operator failed to meet within 4 year requirement. In their Public Officials audience the Operator needed 20 evaluation samples to meet their plans valid sample size and they only used 12."

OPERATOR RESPONSE: In their response letter to Inspection Number AT20-001, dated August 13, 2020, the Fort Valley Utility Commission stated that: "FVUC will ensure that future effectiveness evaluations are conducted at least every four years as required by the regulation. FVUC will conduct face-to-face meetings with Public Officials and attempt to get additional surveys for future effectiveness evaluations."

FOLLOW-UP INSPECTION: During this inspection (JJ23-008) Staff determined that the Operator has taken action to address the probable violation by providing documentation to show they met evaluations not exceeded 4 years apart and meet their plans valid sample evaluation size.

Staff determined that this violation could be cleared at this time.

(c) Question #22
COMMENTS: During their evaluation the Operator failed to measure bottom line results as required by RP 1162."

OPERATOR RESPONSE: In their response letter to Inspection Number AT20-001, dated August 13, 2020, the Fort Valley Utility Commission stated that: "FVUC has documentation of measurement of bottom line results and has added this information to its PAP records."

FOLLOW-UP INSPECTION: During this inspection (JJ23-008) Staff determined that the Operator has taken action to address the probable violation by providing documentation to support they have been measuring bottom-line results as required in RP 1162.

Staff determined that this violation could be cleared at this time.

(d) Question #23

COMMENTS: Based on Evaluations Operator completed in December 2018 the changes or modifications were not identified and documented in their evaluation till September 9, 2019."

OPERATOR RESPONSE: In their response letter to Inspection Number AT20-001, dated August 13, 2020, the Fort Valley Utility Commission stated that: "FVUC will ensure that future supplemental enhancements are implemented promptly upon determination of a need for enhancement."

FOLLOW-UP INSPECTION: During this inspection (JJ23-008) Staff determined that the Operator has taken action to address the probable violation by providing documentation from Appendix E: showing that they have made Supplemental Program Enhancement changes and modification to their Programs Plan.

Staff determined that this violation could be cleared at this time.

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

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN THE MATTER OF:	)	
	)	
Continuing Violation Report	)	**DOCKET NO. 37054**
Fort Valley Utility Commission	)	
Inspection JJ23-008 on January 30, 2023	)	
	)	

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 *Fort Valley Utility Commission* 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

*Clay Walker, General Manager
Fort Valley Utility Commission
P.O. Box 1529
Fort Valley, GA 31030
(cwalker@fvutil.com

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

Respectfully Submitted this 13th day of July 2023:

Cathy Nesbitt

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