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Georgia Public Service Commission

(404) 463-6526
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244 Washington Street, SW
Atlanta, GA 30334-5701

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

Docket No. 37070

DOCKET#37070
DOCUMENT#205075

City of Monroe Natural Gas Department
P. O. Box 725
Monroe, GA 30655

REF: Follow Up Inspection # KR23-007

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Logan Propes

On February 27, 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 KR23-007 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. 37070 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: KR23-007

OPERATOR: City of Monroe Natural Gas Department

INVESTIGATOR: Kenny Rowe

INSPECTION DATE: February 27, 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

Violation	Description	Inspection#	Date
515-9-3-.09	Response Options Open to the Operator	JS20-033	9/14/2020

3. CLEARED VIOLATIONS

Cleared on 2/27/2023

Violation	Description	Inspection#	Date
192.703(b)	Each segment of pipeline that becomes unsafe must be replaced, repaired, or removed from service.	DL18-029	8/8/2018

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF MONROE/ FOLLOW UP INSPECTION
INSPECTION NUMBER KR23-007 / DOCKET NUMBER 37070

On February 27th, 2023, Staff reported to the City of Monroe to perform a Follow Up inspection of the Operator's previously existing probable violations.

During this inspection the Operator was represented by:
Bryan Pittman– Monroe Gas Superintendent
Matthew Peters – Monroe Regulatory Compliance
Bruce Bagnasco- MGAG/SRCS (Consultant)

Commission Staff was represented by:
Kenny Rowe– Lead Inspector
Brant Sweat – Pipeline Safety Inspector

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

PROBABLE VIOLATION CLEARED

In regard to the Notice of Amendment for the probable violation of 49CFR §192.703(b) which was cited in Inspection Number DL18-029; in that inspection Staff stated that: "The City of Monroe must amend their leak repair procedures to require a leak re-check following repairs. This recheck is to ensure that the repair was effective, and that there are no other leaks remaining. This revised procedure must ensure that the re-check occurs after any residual gas has had time to dissipate, so that the Operator can ensure that the repair was effectiv, and so that any remaining leaks can be detected and graded as required."

FIRST OPERATOR RESPONSE: In their response letter to Inspection Number DL18-029, dated February 20, 2019, the Operator stated that: "Monroe will review its leak repair procedures and revise as-necessary by April 30, 2019."

FIRST FOLLOW-UP INSPECTION: On February 13, 2019 Staff conducted a follow-up inspection of the Operator's previously existing probable violations (Ref: Inspection Number JJ19-009). In that inspection Staff stated that: "During this inspection Staff found that the Operator had not yet revised their procedure to require a leak re-check following repairs."

SECOND OPERATOR RESPONSE: In their response letter to Inspection Number JJ19-009, dated October 8, 2019, the Operator did not address this violation. However, in their response to Inspection Number JJ19-010, dated October 6, 2019, the City of Monroe stated: "Monroe is aware that Staff will soon issue a Notice of Proposed Rulemaking that will include requirements for rechecking leaks. Monroe will revise its leak grading program within 30 days after approval of the new Rule."

SECOND FOLLOW-UP INSPECTION: On September 14, 2020, Pipeline Safety Staff met with the City of Monroe Water, Light & Gas Commission to perform a follow-up inspection of the Operator's previously existing probable violations. During this inspection (JS20-033) Staff asked the Operator if there had been any updates to provide for the §192.703(b) violation. Monroe stated they had not amended their leak procedure yet, because of probable changes coming from the Facilities Protection Director. Staff determined that this violation was continuing, and they issued a Notice of Probable Violation for Commission Rule 515-9-3-.09 for the Operators failure to address the Notice of Amendment from Inspection Number DL18-029.

THIRD OPERATOR RESPONSE: In their response to Inspection Number JS20-033, dated December 21, 2020, the City of Monroe stated: "Monroe revised its leak grading and response program to include provisions for rechecking leaks after repair to ensure that the repair was effective and that there are no

other leaks remaining. These provisions are modeled after the leak re-check procedures implemented by the City of Lawrenceville. The procedures were revised on December 4, 2020."

FOLLOW-UP INSPECTION: During this inspection KR23-007 Staff determined that the Operator has revised their leak repair procedures to comply with 192.703(b).

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

PROBABLE VIOLATION CONTINUING

In regards to the probable violation of Commission Rule 515-9-3-.09 which was cited in the Inspection Number JS20-033; In that inspection Staff Stated that: "The City of Monroe failed to address the Notice of Amendment for their procedure for performing re-checks of hazardous leaks as cited in Inspection Number DL18-029."

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

OPERATORS FIRST RESPONSE: In their response to Inspection Number JS20-033, dated December 21, 2020, the City of Monroe stated: "Monroe has discussed the NOPV and proposed civil penalty with the Director and understands that this discussion serves as the Informal Conference that is the first step in addressing these items. Based on Monroe's understanding of the Director's position on the Probable Violation and the Proposed Civil Penalty, Monroe provides the follow: To resolve the Notice of Amendment related to § 192. 703(b) as cited in Inspection #DLl 8-028, Monroe revised its leak grading and response program to include provisions for rechecking leaks after repair to ensure that the repair was effective and that there are no other leaks remaining. These provisions are modeled after the leak re-check procedures implemented by the City of Lawrenceville. The procedures were revised on December 4, 2020. To address the Proposed Civil Penalty associated with this Probable Violation, Monroe will conduct training in leak grading and leak response with all personnel responsible for performing these activities. This training will be completed by February 1, 2021. Please confirm that this understanding is accurate and advise us of the next steps to be taken.

FOLLOW-UP INSPETION: During this inspection KR23-007 Staff reviewed the amended procedures for performing leak re-checks in the City of Monroe's Operator and Maintenance Manual. Staff determined that this violation of Commission Rule 15-9-3-.09 has been addressed, however, the proposed civil penalty has not been addressed.

The Operator is directed to contact the Director to discuss the proposed civil penalty.

Staff determined that this probable violation cannot 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.

OPERATOR RESPONSE FORM

Operator Name: CITY OF MONROE GAS SYSTEM

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37070

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	$_____
☐ Notice of Amendment (NOA)	☐ Yes ☐ No	Proposed Penalty for this violation
☐ 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:	)	
	)	
Cleared and Continuing Violation(s) Report	)	**DOCKET NO. 37070**
City of Monroe Natural Gas Department	)	
Inspection KR23-007 on February 27, 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 *City of Monroe Natural 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

*Logan Propers, City Administrator
City of Monroe Natural Gas Department
P.O. Box 725
Monroe, GA 30655
lpropes@monroega.gov

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