COMMISSIONERS

JASON SHAW , Chairman
TIM G. ECHOLS , Vice-Chairman
FITZ JOHNSON
LAUREN "BUBBA" McDONALD
TRICIA PRIDEMORE

FILED
FEB 02 2024
EXECUTIVE SECRETARY
G.P.S.C.

REECE McALISTER
EXECUTIVE DIRECTOR

MICHELLE THEBERT
FACILITIES PROTECTION UNIT DIRECTOR

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. 37064

DOCKET# 37064
DOCUMENT# 217302

Liberty Utilities - Columbus Area
2300 Victory Drive
Columbus, GA 31901-3455

REF: Follow Up Inspection # AT23-043

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Ms. Carolyn Bermudez

On November 29, 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 AT23-043 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. 37064 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

COMMISSIONERS

JASON SHAW , Chairman
TIM G. ECHOLS , Vice-Chairman
FITZ JOHNSON
LAUREN "BUBBA" McDONALD
TRICIA PRIDEMORE

REECE McALISTER
EXECUTIVE DIRECTOR

MICHELLE THEBERT
FACILITIES PROTECTION UNIT DIRECTOR

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

REPORT OF NATURAL GAS SAFETY

INSPECTION NO: AT23-043

OPERATOR: Liberty Utilities - Columbus Area

INVESTIGATOR: Alan Towe

INSPECTION DATE: November 29, 2023 REPORT MAILED DATE: January 31, 2024

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
192.16	Customer notification.	DL21-002	1/6/2021
192.705	Transmission lines: Patrolling.	DL21-002	1/6/2021
192.709	Transmission lines: Record keeping.	DL21-002	1/6/2021
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	DL21-002	1/6/2021
192.747(a)	Each valve, the use of which may be necessary for the safe operation of a distribution system, m...	DL21-002	1/6/2021
192.605(b)	Maintenance and normal operations. The manual required by paragraph (a) of this section must...	DL21-002	1/6/2021
192.615(c)	Each operator shall establish and maintain liaison with appropriate fire, police, and other...	DL21-002	1/6/2021
192.619(a)	No person may operate a segment of steel or plastic pipeline at a pressure that exceeds a maximum...	DL21-002	1/6/2021
192.465(a)	Each pipeline that is under cathodic protection must be tested at least once each calendar year...	DL21-002	1/6/2021
192.745(b)	Each operator must take prompt remedial action to correct any valve found inoperable, unless...	DL21-002	1/6/2021
192.467(d)	Inspection and electrical tests must be made to assure that electrical isolation is adequate.	DL21-002	1/6/2021
192.481(a)	Each operator must inspect each pipeline or portion of pipeline that is exposed to the atmosphere...	DL21-002	1/6/2021
192.199(e)	Have discharge stacks, vents, or outlet ports designed to prevent accumulation of water, ice, or...	DL21-002	1/6/2021
192.709(c)	A record of each patrol, survey, inspection, and test required by subparts L and M of this...	DL21-002	1/6/2021

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

From November 29 to December 7, 2023, Staff reported to Liberty Utilities to perform a follow-up inspection of the Operator's previously existing probable violations.

During this inspection, the Operator was represented by:
Carolyn Bermudez - President
John Patton – Director, Engineering
Yvonne Barker – Manager, Regulatory & Compliance
Olivia Ward – Manager, Engineering
Bobby Avery – Director, Operations
Adam Mayfield – Manager, Operations

Commission Staff was represented by:
Alan Towe – Lead Inspector
Jack Hewitt – Pipeline Safety Inspector
Glen Murphy – Pipeline Safety Inspector

At the time of this inspection, Liberty Utilities was under 18 previously existing probable violations. Staff reviewed these probable violations with the Operator and determined that:

PROBABLE VIOLATION CLEARED

1. In regard to the Probable Violation of 192.615(c) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities Georgia failed to demonstrate that they have established and maintained liaison with appropriate fire, police, and other public officials."

   Staff proposed a civil penalty of $10,000.00 for this probable violation.

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Liberty has established appropriate liaison through annual liaison meetings conducted by a third-party vendor (Paradigm) in conjunction with other local distribution company ("LDC") operators and transmission companies. A copy of the Participation Agreements with Paradigm, the dates and agenda for the liaison meetings, and a list of attendees at each meeting is attached as Exhibit A. In these meetings, pertinent information regarding service territory, pipeline materials, emergency contact methods, pipeline markers, coordinated response exercises, and other required information was shared. In addition, Liberty has conducted annual safety brochure mailings containing contact information, pipeline marker information, and instructions on responding to a natural gas emergency to all identified Public Officials and First Responders who could potentially respond to an emergency within their service territory. These mailings are also conducted by a vendor (Enertech) who provides Liberty with a list of addresses with the stakeholders who are receiving these mailings identified. A copy of the contract with Enertech, copies of the safety brochures/mailing, and mailing lists for these mailings is attached as Exhibit B."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator and found the Operator has added 499 Utility Operators.

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

2. In regard to the Probable Violation of §192.16 which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities Georgia could not demonstrate that they have delivered customer notifications as required by §192.16."

   Staff proposed a civil penalty of $10,000.00 for this probable violation.

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Liberty has delivered messaging in compliance with 192 through different means. Bill messages are delivered in compliance with the Liberty Utilities' RP1162 plan and contain messages including, "What to do if you smell gas," "Call Before you dig," "Pipeline Right of Ways," "Protect your family from Carbon Monoxide," and "Maintaining your Gas Line." Customers along the transmission line also receive an annual safety brochure. Liberty also conducted an accelerated mailing in which all customers and the public received safety brochures with an approximated total mailing count of over 158,000. A copy of the signed agreements with Enertech, copies and dates of the bill messages, copies and dates of the annual safety brochures, and copies and dates of the accelerated mailings in 2020. Please see the attached Exhibit D."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators records and determined that the Operator has mailed 158,000 brochures to their customers on July 15, 2022.

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

3. In regard to the Probable Violation of §192.467(d) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities Georgia failed to assure that electrical isolation is adequate."

   Staff proposed a civil penalty of $10,000.00 for this probable violation.

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Liberty performed an inspection of the piping at the bridge at Lakeview Drive on June 16, 2021. On August 4, 2021, additional cathodic protection ("CP") was installed on the buried piping near the bridge. The documentation for the inspection and the installation of the additional CP is attached as Exhibit E. The electrically shorted pipe hangers will be repaired or replaced by September 16, 2022."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and their records provided which indicated cathodic protection remediation was

completed on August 4, 2021. Field observation performed by Staff during this inspection indicated the Operator has completed the repair of bridge hangers as well.

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

4. In regard to the Probable Violation of §192.745(b) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "The Operator failed to take prompt remedial action to correct any valve found inoperable."

   Staff proposed a civil penalty of $10,000.00 for this probable violation.

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Liberty will ensure that Valve VC9242 will be replaced. Contractor bids for the work will be solicited in July 2022 and the anticipated completion date for the work is October 15, 2022. Valve VC9243 will be abandoned in place upon replacement of valve VC9242."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator and found that on September 1, 2022, the Operator installed an eight-inch ball valve and sixteen feet of eight-inch epoxy steel. Operator stated this was installed to replace the inoperable valve #VC9242 which was approximately 200 feet from this location. The Operator stated that they have abandoned valve #VC9243 due to its Class two location and that other valves are within 5 miles of another inline valve.

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

5. In regard to the Probable Violation of §192.619(a) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "The Operator failed to demonstrate how they established the MAOP for each segment of their pipeline."

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Liberty establishes the maximum allowable operating pressure ("MAOP") in accordance with the requirements of 192.619(a)1 and 192.619(a)2. A Construction Survey Document (SSD) is completed for each repair, replacement, or addition to a transmission or distribution main or service line. The pressure test is documented on the SSD along with the MAOP of the pipeline segment. These records are kept in project folders along with material purchase records for the life of the pipeline. The pressure test is the basis for the MAOP of each pipeline segment."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator during this inspection and found that records provided for their transmission pipeline system were showing a pressure test was performed. Also, Staff reviewed distribution records showing pressure tests are being performed.

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

6. In regard to the Probable Violation of §192.605(a) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Based on the noted deficiencies, identified below, Staff found that the Operator failed to follow their written procedures for conducting operations and maintenance activities, as required by §192.605(a)"

   Staff noted a deficiency of the Operators compliance with the requirements of §192.481(c) and stated: "During this inspection (DL21-002) Staff identified locations in downtown Columbus (Broadway between 10th and 13th) that had atmospheric corrosion on customer piping that had not been addressed as required in their operations and maintenance procedures. Staff also reviewed locations that had been identified with atmospheric corrosion in the Operators 2019 Atmospheric Corrosion Survey that had no remedial action within the 12-month time frame as required in their Operations and Maintenance Manual."

   Staff proposed a civil penalty of $10,000.00 for this probable violation.

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Liberty is currently working to finalize the remedial actions associated with the 2019 atmospheric corrosion survey. The atmospheric corrosion identified on Broadway between 10th and 13th has been remediated and documentation of the remediation is attached as Exhibit L. Liberty also assisted with replacement of the customer piping with atmospheric corrosion."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed Operator records for the 2019 atmospheric corrosion survey which indicated remedial action has been completed.

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

7. In regard to the Probable Violation of §192.465(a) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "The Operator failed to perform monitoring of their CP systems in a manner which would ensure compliance with the requirements of §192.463."

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator stated: "Liberty will revise our procedures to address how voltage/IR drops are measured by September 1, 2022."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff was given a copy of the Operators revised procedure for considering IR drop. Also, records reviewed indicated the Operator is now recording instant off readings.

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

8. In regard to the Probable Violation of §192.605(a) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities Georgia failed to demonstrate that their Emergency Procedures manual has been reviewed and updated at intervals not exceeding 15 months, but at least once each calendar year."

   Staff proposed a civil penalty of $10,000.00 for this probable violation.

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Liberty conducts annual reviews and updates of their emergency management plan ("EMP"). The revisions with dates are recorded on page 43 of the plan. Lists of review participants for 2021 and 2022 are attached as Exhibit C."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator and found that it adequately addresses this violation.

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

9. In regard to the Probable Violation of §192.481(a)(2) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities Georgia failed to demonstrate that they inspected and evaluated each pipeline or portion of the pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion at least once every 5 calendar years, but with intervals not exceeding 63 months."

   Staff proposed a civil penalty of $10,000.00 for this probable violation.

   OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

   > "Regarding the farm taps and bridge noted in the comments from Commission Staff, Liberty has completed atmospheric inspections at 498 Old Mill Rd, 2681 Gum Springs Church Rd, Hwy 332, and the bridge on Lakeview Dr and completed remedial actions as required. All the main and service lines inside Morris Road Mobile Home Park have been retired and abandoned with the exception being those services that are tied directly to the main on Morris Road. The service risers along Morris Rd at the park have been inspected and painted. Documentation of these inspections and a list of farm taps for Columbus and Gainesville are attached as Exhibit F."

   FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator via mail and found that it adequately addresses this violation.

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

10. In regard to the Probable Violation of §192.709(a) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Operator failed to maintain records required for their transmission pipeline in accordance with 49CFR, §192.709(a) and their Procedures Manual."

    OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator stated:

    > "Liberty completed the "Leak Found, Leak Repaired, & 3rd Party Damage Form" for 5338 Hwy 60 Candler Rd, Gainesville, GA on 12/11/2017. The pipe-to-pipe connection details were noted. The documentation is attached as Exhibit G."

    FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator and found that it adequately addresses this violation.

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

11. In regard to the Probable Violation of §192.705 which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Operator failed to demonstrate that they have performed patrolling on their transmission pipeline as required by §192.705.

    Staff proposed a civil penalty of $10,000.00 for this probable violation.

    OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

    > "Not all of the Gainesville transmission system is classified as Class 3. The entire Gainesville transmission system does not meet the requirements of §192.5 for a Class 3 location. However, Liberty Utilities' practice is to conduct pipeline patrols of the Gainesville transmission system in accordance with the requirements for a Class 3 location. Liberty utilizes a third-party (Eagle Sky Patrol) to perform aerial patrol of the Gainesville transmission lines. Aerial patrol records for 2016 to present are attached. The contract with Eagle Sky Patrol, the "Pipeline Patrolling Work Order," "Transmission Pipeline Patrol & Leakage Log" (includes annual marker and map review), and the "Transmission Pipeline Patrol Observation and Inspection Form" (unusual or new conditions) records are attached as Exhibit H."

    FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator via mail and found that it adequately addresses this violation.

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

12. In regard to the Probable Violation of §192.747(a) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities failed to demonstrate that valves which may be necessary for the safe operation of a distribution system are inspected and serviced at intervals not to exceed 15 months, but at least once each calendar year as required by §192.747(a) their O&M procedures."

Staff proposed a civil penalty of $10,000.00 for this probable violation.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

> "Liberty has completed an audit of all station inlet valves. All valves missing from the annual inspection have been identified, inspected, and added to the annual inspection going forward. Copies of work orders associated with these inspected inlet valves is attached as Exhibit J."

FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator and found that it adequately addresses this violation.

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

13. In regard to the Probable Violation of §192.199(e) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities failed to ensure that the pressure reliving device on the regulator station at the Talbotton Regulator Station and the meter set at Liberty Utilities Headquarters Office were not designed to ensure that gas can be discharged into the atmosphere without undue hazard.."

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator stated:

> "Liberty modified the relief piping at the Talbotton Regulator Station on May 20, 2021, so that gas can be discharged above the awning. Liberty modified the piping at the Liberty Utilities Headquarters Office on June 13, 2022, to include a regulator with an internal relief and eliminated the external relief piping under the awning. Documentation of these modifications is attached as Exhibit K."

FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator and found that it adequately addresses this violation.

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

14. In regard to the Probable Violation of §192.709(c) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty Utilities failed to maintain documentation which demonstrated that they have performed their transmission leak survey as required."

Staff proposed a civil penalty of $10,000.00 for this probable violation.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated:

"The discrepancies noted when comparing the reported actual mileage (footage) surveyed and the mileage reported on the PHMSA annual report for 2016 to 2020 are due to the change in methodologies for calculating the actual mileage (footage) surveyed. The basis of footages surveyed varied between the use of footages from pre-2016 survey maps and using measurement wheels to measure the system. The mileage on the PHMSA annual reports for these same years was based on data from our GIS system. Liberty has changed its practice and now generates leak survey maps based on data from our GIS system consistent with the basis for the mileage on the PHMSA annual reports. The 2018 transmission leakage survey was conducted by a 3rd party. The outside contractor did not report the actual mileage (footage) surveyed but did document there were 67 services reported as surveyed. Please see the attached Exhibit I. The 2019 transmission leakage survey was conducted by a 3rd party. The documentation from the outside contractor for 2019 does not include a summary of the actual mileage (footage) surveyed or the number of services surveyed but does include the actual mileage (footage) surveyed for individual segments and does include services. The total of the individual segments surveyed in 2019 was 68.085 miles (359,488 feet) and the total number of services surveyed was 75. Please see the attached Exhibit I."

FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff reviewed the Operators response and the documents provided by the Operator via mail and found that it adequately addresses this violation.

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

15. In regard to the Probable Violation of §192.605(b) which was cited in Inspection Number DL21-002; in that inspection Staff stated: "Liberty must revise their procedure to clearly identify the criteria that they have established and are monitoring for on each of their CP systems. In addition, the Operators procedures must be amended to address how they will measure the voltage/IR drop.."

    OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator stated: "Liberty will revise our procedures to address how voltage/IR drops are measured by September 1, 2022."

    FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) the Operator provided Staff with their written process for how they consider IR drop.

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

16. In regard to the Warning Letter for the Probable Violation of §192.705 which was cited in Inspection Number DL21-002; in that inspection Staff stated: "During this inspection (DL21-002) Staff noted in 2019 records, Liberty personnel identified multiple location where pipe was exposed in creeks.."

    OPERATORS FIRST RESPONSE: In their response letter to Inspection Number DL21-002, dated July 15, 2022, the Operator stated: "Liberty has confirmed that remedial action has been completed on eight (8) of the nine (9) locations identified. Documentation for those locations is attached as Exhibit M. Remedial action of the remaining location will be completed by June 24, 2022."

FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) the Operator provided Staff with work orders indicating remedial action has been taken.

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

17. In regard to the Probable Violation of §192.907(a) which was cited in Inspection Number CS16-016; in that inspection Staff stated: "Based on the observed deficiencies indicated in this report, Staff determined that Liberty Utilities has failed to develop a written integrity management program that addresses procedures for HCA identification and how pipeline centerlines are determined, and how tolerances (or buffers on top of the calculated PIR) will be dealt with regarding accuracy of distance measurements to structures/identified sites and the location of the pipeline centerline, as required by 49 CFR, §192.905(a) Liberty Utilities must amend its procedures as required by 49 CFR, §192.907(a)."

    Staff proposed a civil penalty of $10,000.00 for this probable violation.

    OPERATORS FIRST RESPONSE: In their response letter to Inspection Number CS16-016, dated February 16, 2017, the Operator requested an informal conference with the Director for the civil penalty which was proposed for this probable violation and stated: "This letter is to serve as Liberty Utilities Georgia's (LU-GA) request for an informal conference regarding the proposed civil penalty issued by the Georgia Public Service Commission's (GPSC) Pipeline Safety Staff on December 30, 2016. Please advise LU-GA as to the availability of GPSC Pipeline Safety Staff so that we may plan and coordinate accordingly."

    FIRST FOLLOW-UP INSPECTION: On February 13, 2017, Staff reported to Liberty Utilities (Columbus) to perform a follow-up inspection of the Operator's previously existing probable violations. (Ref. Inspection Number JL17-014) In that inspection Staff stated: "During this inspection Staff reviewed the Operator's amended procedures and found that the procedures now clearly document how Liberty Utilities determines pipeline centerline and measuring accuracy. Staff noted that in their response letter, dated February 16, 2017, the Operator requested an informal conference with the Director to discuss the civil penalty. Because the civil penalty has not yet been addressed, Staff determined that this probable violation cannot be cleared at this time."

    SECOND FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff found that this violation was previously addressed in Inspection Number JL17-014, and that Liberty Utilities is negotiating a Consent Agreement with the Director for all of their outstanding proposed civil penalties.

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

PROBABLE VIOLATION CONTINUING

1. In regard to the Probable Violation of §192.603 which was cited in Inspection Number JB22-023; in that inspection Staff stated: "Staff found that the Liberty Utilities – Georgia plan for compliance with the requirements of Section 114 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020, was deficient. Liberty Utilities - Georgia must amend their procedures to address the deficiencies identified in this report."

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number JB22-023, dated November 03, 2022, the Operator stated the following: "Operator's methane emission reduction plan will be amended by December 31, 2022, to specify action thresholds and guidelines for minimizing natural gas release volumes associated with non-emergency venting and blowdowns from operations and maintenance."

FIRST FOLLOW-UP INSPECTION: During this inspection (AT23-043) Staff was told that the Operator was in process of completing their Methane Emission procedures at this time.

Staff determined that this violation could not 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:	)	
	)	
Cleared and Continuing Violation Report	)	**DOCKET NO. 37064**
Liberty Utilities –	)	
Inspection AT23-043 on November 29, 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 *Liberty Utilities* 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

*Carolyn Bermudez, President
Liberty Utilities
2300 Victory Drive
Columbus, GA 31901-3455
Carolyn.Bermudez@libertyutilities.com

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

Respectfully Submitted this 6th day of February 2024:

Cathy Nesbitt

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