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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# 37047
DOCUMENT# 217473

Docket No. 37047

City of Douglas Gas System
P.O. Box 470
Douglas, GA 31534

REF: Operator Qualification Inspection # DJ23-030

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Charles Davis

On August 29, 2023, a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an inspection of your gas system. The enclosed inspection report numbered DJ23-030 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. 37047 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: DJ23-030

OPERATOR: City of Douglas Gas System

INVESTIGATOR: Daphne Jones

INSPECTION DATE: August 29, 2023 REPORT MAILED DATE: February 8, 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 an inspection of the Operator's operator qualification (OQ) program for compliance with the minimum federal standards in 49CFR §192, Subpart N.

2. CONTINUING VIOLATIONS

| Violation | Description | Inspection# | Date |
|---|---|---|---|
| 192.625 | Odorization of gas. | DL22-003 | 3/1/2022 |
| 192.181(a) | Each high-pressure distribution system must have valves spaced so as to reduce the time to... | DL22-003 | 3/1/2022 |
| Consent Agreement Pending | Operator is negotiating Consent Agreement with the FPU Director | DL23-019 | 7/13/2023 |

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

On August 29, 2023, Commission Staff reported to the City of Douglas to conduct an Operator Qualification (OQ) program inspection and a Protocol 9 inspection for compliance with the minimum federal safety standards.

During the inspection, the Operator was represented by:
Chris Davis – Compliance Officer
Joey Costeloes – Gas Distribution Tech #3
Ty Nelson - Gas Distribution Tech #3
Sam Yarley – MGAG/SRCS (Consultant)

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

At the time of this inspection the City of Douglas had two (2) previously existing probable violations. Because these items were being addressed under Review of Operator Response Inspection Number DL23-019 Staff did not issue a follow-up inspection with this OQ inspection. The Operator will need to update the status of any continuing violations in their response to this inspection.

During this Operator Qualification inspection, Staff utilized PHMSA Operator Qualification Plan Review Form14 to review the City of Douglas's Gas Department's OQ plan and records, which includes their process on ensuring contractors compliance.

NO PROBABLE VIOLATIONS

During this inspection Staff conducted a review of the Operator's Qualifications to ensure that the Operator had and followed a written qualification program, that covered task (s) were being performed in accordance with appropriate operator-approved procedures, that the procedures were present at the job site, and that the individuals performing the observed covered task(s) were qualified and adhering to the operator-approved procedures as written.

During the field evaluation, Staff observed the Operator's personnel perform three protocol 9 inspections in Douglas, Ga. The Operator provided the individual qualifications for Joey Costeloes and Ty Nelson to perform covered tasks. Staff examined the individual records before observing the performance. Staff verified that qualification records for this individual were current.

Joey Costeloes, Gas Distribution Tech #3, performed Task #1231: Inside Leak Gas Investigation, qualified on 10/2/2020 and expires 10/2/2023 and Task #1241: Outside Leak Gas Investigation, qualified on 10/2/2020 and expires 10/2/2023. Staff verified that the individual was able to perform the covered tasks according to the procedure and was able to identify generic and task specific abnormal conditions and define the applicable actions.

Ty Nelson, Gas Distribution Tech #3, performed Task #1291: Locate Underground Pipelines, qualified on 9/6/2022 and expires 9/6/2023. Staff verified that the individual was able to perform the covered tasks according to the procedure and was able to identify generic and task specific abnormal conditions and define the applicable actions.

As a result of this inspection Staff noted no probable violations of the minimum federal safety standards.

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 Douglas

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37047

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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) | | | |

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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 |
| ☐ 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: _____

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:** | ) | |
| | ) | |
| **No Violation Report** | ) | **DOCKET NO. 37047** |
| **City of Douglas Gas System** | ) | |
| **Inspection DJ23-030 on August 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 *City of Douglas Gas System* 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

*Charles Davis, City Manager
City of Douglas Gas System
P.O. Box 470
Douglas, GA 31534

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

Respectfully Submitted this 14th day of February 2024:

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