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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. 37074

City of Ocilla Gas Department
PO Box 626
113 North Erwin St
Ocilla, GA 31774

REF: Operator Qualification Inspection # DJ23-026



Certified Mail

Regular Mail

Email

Attention: Mr. Melvin D. Harper II

On July 26, 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 DJ23-026 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. 37074 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: DJ23-026

OPERATOR: City of Ocilla Gas Department

INVESTIGATOR: Daphne Jones

INSPECTION DATE: July 26, 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
192.13(c)	Each operator shall maintain, modify as appropriate, and follow the plans, procedures, and...	AT19-022	5/29/2019
199.241	Training for supervisors.	JS19-034	7/23/2019
199.117	Recordkeeping	JS19-034	7/23/2019
40.333	What records must employers keep?	JS19-034	7/23/2019
199.105(c)(6)	The operator shall randomly select a sufficient number of covered employees for testing during...	JS19-034	7/23/2019
199.115(a)	The operator remains responsible for ensuring that the requirements of this part are complied with	JS19-034	7/23/2019
199.113(c)	Supervisory Personnel Training (Drug)	JS19-034	7/23/2019
40.11	What are the general responsibilities of employers under this regulation?	JS19-034	7/23/2019
40.15(b)	As an employer, you are responsible for ensuring that the service agents you use meet the...	JS19-034	7/23/2019
515-9-3-.08	Written Formal Notice of Violation	JJ20-015	3/16/2020
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	JJ20-016	3/10/2020
192.603(c)	General - The Associate Administrator or the State Agency that has submitted a current...	JJ22-015	3/14/2022
192.613(a)	Continuing Surveillance - Each operator shall have a procedure for continuing surveillance of...	JJ22-016	3/15/2022
192.703(c)	Hazardous leaks must be repaired promptly.	JJ22-016	3/15/2022
192.199(h)	Except for a valve that will isolate the system under protection from its source of pressure...	JJ22-016	3/15/2022
192.481(c)	If atmospheric corrosion is found during an inspection, the operator must provide protection...	JJ22-016	3/15/2022
192.455 (e)	Aluminum may not be installed in a buried or submerged pipeline if that aluminum is exposed to an...	JJ22-016	3/15/2022
192.605(b)(2)	Controlling corrosion in accordance with the operations and maintenance requirements of Subpart...	JJ22-016	3/15/2022
192.723(b)	The type and scope of the leakage control program must be determined by the nature of the...	JJ22-016	3/15/2022
192.147(a)	Each flange or flange accessory (other than cast iron) must meet the minimum requirements of...	JJ22-016	3/15/2022

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

On July 26-27, 2023, Commission Staff reported to the City of Ocilla 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:
Cornellus Hall – Gas Superintendent
Jacob Edwards – Gas Technician
Peter Schultz – HARP & Associates (Consultant)

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

At the time of this inspection the City of Ocilla had twenty (20) previously existing probable violations. Staff reviewed these probable violations with the Operator, and these are detailed in Follow-up Inspection # JJ23-023.

During this Operator Qualification inspection, Staff utilized PHMSA Operator Qualification Plan Review Form 14 to review the City of Ocilla's Gas Department's OQ plan and records, which includes their process on ensuring contractors compliance.

NO VIOLATIONS FOUND

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 Ocilla, Ga. The Operator provided the individual qualifications for Jacob Edwards to perform covered tasks. Staff examined the individual records before observing the performance. Staff verified that qualification records for this individual were current.

Jacob Edwards, Gas Technician for the City of Ocilla, performed Task #0141 – Visual Inspection for Atmospheric Corrosion, qualified 1/23/2023 through 1/22/2026, Task #0101 – Measure Structure-to-Electrolyte Potential (Pipe-to-Soil) 1/22/2023 through 1/22/2024, and Task #0301 – Manually Opening and Closing valves, qualified 1/24/2023 through 1/23/2026. 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

Informal Conference Requested: Yes No

Operator Name: City of Ocilla

Docket Number: 37074

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

- | | | |
|--|--|--|
| <input type="checkbox"/> Notice of Probable Violation (NOPV) | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Notice of Amendment (NOA) | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Warning Letter | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Letter of Concern | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Observed Issue | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> 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):

- Written statement indicating that corrective measures have achieved Compliance or
- Written plan of action outlining the corrective measures that will be taken to achieve compliance and when compliance is anticipated.

B. Response for **NOA**:

- 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
- Not Contested: Explanation, information, or other material believed to warrant modification of the NOA in whole or in part; or
- 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:

- Notice of Probable Violation (NOPV)
- Notice of Amendment (NOA)
- Warning Letter
- Letter of Concern
- Observed Issue
- Proposed Civil Penalty

Conference Requested:

- Yes No
- Yes No
- Yes No
- Yes No
- Yes No
- Yes No

\$ _____
Proposed Penalty for this violation

OPERATORS RESPONSE: _____

Response Provided by: _____ Name / Title Date: _____

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: _____

OPERATOR RESPONSE FORM

Operator Name: City of Ocilla

Informal Conference Requested: Yes No

Docket Number: 37074

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
City of Ocilla Gas Department
Inspection DJ23-026 on July 26, 2023

)
)
) DOCKET NO. 37074
)
)
)

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 Ocilla 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

*The Honorable Melvin D. Harper II, Mayor
City of Ocilla Gas Department
P.O. Box 626
113 North Erwin St
Ocilla, GA 31774
mayor@cityofocillaga.net

*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