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(404) 463-6526
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FAX: (404) 463-6532
psc.ga.gov

DOCKET# 37069
DOCUMENT# 217787

Docket No. 37069

City of Millen Gas Department
P. O. Box 929
Millen, GA 30442

REF: Comprehensive Inspection # DL23-005

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Jeff Brantley

On January 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 DL23-005 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. 37069 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: DL23-005

OPERATOR: City of Millen Gas Department

INVESTIGATOR: David Lewis

INSPECTION DATE: January 26, 2023 REPORT MAILED DATE: February 27, 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 comprehensive inspection of the Operator's plans, programs, procedures, pipeline, and pipeline facilities for compliance with the minimum federal safety standards in 49CFR Parts 191 and 192.

2. CONTINUING VIOLATIONS

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
191.11	Distribution system: Annual report.	DL23-005	1/26/2023
192.706	Transmission lines: Leakage surveys.	DL23-005	1/26/2023
192.619(a)	No person may operate a segment of steel or plastic pipeline at a pressure that exceeds a maximum...	DL23-005	1/26/2023
192.195(a)	General requirements. Except as provided in §192.197, each pipeline that is connected to a gas...	DL23-005	1/26/2023
192.181(a)	Each high-pressure distribution system must have valves spaced so as to reduce the time to...	DL23-005	1/26/2023

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSEPCTION REPORT

March 27-30, 2023 reported to Millen to conduct comprehensive inspection. April 10-11 worked on reports and conducted exit interview virtually on April 13, 2023.

CITY OF MILLEN GAS DEPARTMENT / COMPREHENSIVE INSPECTION
INSPECTION NUMBER DL23-005 / DOCKET NUMBER 37069

On March 27-30, 2023, Commission Staff reported to the City of Millen Gas Department located at 919 College Avenue (30442) to conduct a comprehensive inspection of the Operators plans, programs, procedures, pipeline, and pipeline facilities for compliance with the minimum federal safety standards in 49CFR Parts 191 and 192.

During this inspection, the Operator was represented by:
Johnny Thomas – Utilities Director
Dennis Small – Gas Operator
Chris Cawley – MGAG/SRCS (Consultant)

Commission Staff was represented by:
David Lewis – Lead Inspector
Alan Towe- Pipeline Safety Inspector
Jack Hewitt- Pipeline Safety Inspector

At the time of this inspection, the City of Millen Gas Department was under no previously existing probable violations.

During this inspection, Pipeline Safety Staff examined the City of Millen Gas System operations utilizing GA – PHMSA Form 2 (Procedures / Records / Field Observations) Gas Distribution Operator to record the findings of the inspection.
Staff reviewed the City of Millen's:
- O&M Manual
- Emergency Plan
- MAOP Procedures and records
- 5-year Patrolling & Leakage records
- 5- year Regulator & Relief Insp.
- 5- year Work orders
- 5- year Corrosion Surveys
- 5- year Atmospheric Corrosion records
- 5- year Odorization Records
- 5- year O.Q. Procedures and records
- 5- year Valve maintenance and records
- 5-year Annual 7100 Reports

As a result of this inspection Staff found that the Operator was in probable violation of the minimum federal safety standards; specifically:

PROBABLE VIOLATION

1) CODE REQUIREMENT: 49CFR §191.11 - Distribution system: Annual report.
   (a) General. Except as provided in paragraph (b) of this section, each operator of a distribution pipeline system must submit an annual report for that system on DOT Form PHMSA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year.

   COMMENTS: During this inspection Staff found that the Operator reported on their 7100 report for calendar year 2022 a total of 1,122 services and 46.42 miles of distribution main. However, Staffs review of leakage survey records provided by the Operator indicated that they are reporting a system

wide leakage survey total of 1,322 services and 53.58 miles of distribution main. This Indicates that they are under reporting 200 services and 7.16 miles of main.

PROBABLE VIOLATION: The City of Millen Gas System failed to demonstrate that they have complete and accurate numbers submitted on their annual 7100 report.

2) CODE REQUIREMENT: 49CFR, §192.195 Protection against accidental overpressuring.
   (a) General requirements. Except as provided in §192.197, each pipeline that is connected to a gas source so that the maximum allowable operating pressure could be exceeded as the result of pressure control failure or of some other type of failure, must have pressure relieving or pressure limiting devices that meet the requirements of §192.199 and §192.201.

   COMMENTS: During this inspection Staff found that the Operator failed to provide overpressure protection on their pipeline system at their Kinder Morgan gas supplier connection. The MAOP for this pipeline has been established at 1200 psig.

   PROBABLE VIOLATION: The City of Millen Gas System failed to provide overprotection as required under Part 192.195(a).

3) 49CFR §192.619; Maximum allowable operating pressure: Steel or plastic pipelines.
   (a) No person may operate a segment of steel or plastic pipeline at a pressure that exceeds the maximum allowable operating pressure determined under paragraph (c) or (d) of this section, or the lowest of the following:

   COMMENTS: During this inspection the Operator was unable to provide documentation that demonstrates they have determined the MAOP for their 500 psig, 250 psig, and 28 psig systems in accordance with Part 192.619(a).

   PROBABLE VIOLATION: The City of Millen failed to establish a maximum allowable operating pressure for three of their high-pressure distribution pipeline segments in their system as required under Part 192.

4) 49CFR §192.706; Transmission lines: Leakage surveys.
   Leakage surveys of a transmission line must be conducted at intervals not exceeding 15 months, but at least once each calendar year. However, in the case of a transmission line which transports gas in conformity with §192.625 without an odor or odorant, leakage surveys using leak detector equipment must be conducted-
   (a) In Class 3 locations, at intervals not exceeding 7 1/2 months, but at least twice each calendar year; and
   (b) In Class 4 locations, at intervals not exceeding 4 1/2 months, but at least four times each calendar year.

   COMMENTS: During this inspection the Operator was unable to provide documentation that demonstrates they have determined that their six-inch operating with a 1200 psig MAOP was transmission or high-pressure distribution. Calculations performed by Staff indicated that this segment of the pipeline is operating at over 20% SMYS and should be maintained as a transmission pipeline with an annual leakage survey being performed.

PROBABLE VIOLATION: The City of Millen failed to perform an annual leakage survey on their six-inch transmission pipeline system as required under Part 192.706.

NOTICE OF AMENDMENT

CODE REQUIREMENT: 49 CFR, §192.181 - Distribution line valves:

a) Each high-pressure distribution system must have valves spaced so as to reduce the time to shut down a section of main in an emergency. The valve spacing is determined by the operating pressure, the size of the mains, and the local physical conditions.

STAFFS COMMENTS: During this inspection (DL23-005) the Operator was unable to provide a process for the placement of distribution line valves in accordance with Part 192.181. Because the Operator could not define where these valves are required Staff could not determine if the Operator could perform an emergency shutdown and/or pressure reduction in any section of their pipeline system if it were necessary to minimize hazards to life or property as required by §192.615(a)(6)

Because the Operator could not demonstrate an actual process of how they determine where to install specific valves, Staff cannot determine if the Operator has complied with the requirements of §191.181(a), or if they can meet the requirements of §192.615(a)(6).

During this inspection Staff found no procedures for placement of valves for emergency response and regulator stations. Operator was unable to provide a process in their emergency plan for how, when, or where an emergency shutdown would take place in any section of their system. Also, the Operator's emergency valves listed in their emergency plan do not identify which valve or valves shut off a particular pipeline section in the event of an emergency.

During this inspection Staff also found that the Operator failed to check and service approximately 61 distribution valves which were previously being serviced annually in their distribution system since calendar year 2016 and 2019. The Operator's records failed to indicate why these valves were removed from the annual service schedule.

REQUIRED AMENDMENT: The City of Millen must amend its procedures to address the placement of distribution line valves for its system. They must also amend their procedures to ensure that the valves that they have identified for annual maintenance under §192.747(a) are sufficient to ensure their compliance with §192.615(a)(6).

ITEM OF CONCERN

1) 49 CFR, §192.605- Procedural manual for operations, maintenance, and emergencies
   (b) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.
      (3) Making construction records, maps, and operating history available to appropriate operating personnel.

STAFFS COMMENTS: During this inspection DL23-005, Staff reviewed the master map in the gas superintendent's office and found that it had not been updated since August 1968 and the City of Millen had drawn lines of their new construction/added pipe out of scope of the map.

STAFFS CONCERN: The City of Millen has failed to maintain adequate maps of their system and make them available to all of their appropriate operating personnel for them to use during their operations, maintenance and emergency response under Part 192.605(b)(3).

2) 49CFR, §192.615 Emergency plans.
   a) Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:
      (9) Safely restoring any service outage.

STAFFS COMMENTS: Restoration of Service is addressed in Section VII of the Millen Natural Gas System's Emergency Procedures Manual. Staff notes that in this procedure it states: "Appendix M contains a guidance that may be used for restoration of service. The purpose of this Appendix is to provide the user with a guide to aid in this process. Use of this form is at the discretion of the Millen's Natural Gas System."

STAFFS CONCERN: Staff is concerned that Millen's Natural Gas System has failed to customize its off-the-shelf emergency plan template to address its specific operation and provide meaningful guidance to its employees. Staff expressed their concern to the Operator that it is not clear if their employees are required to follow Appendix M, or if they get to decide on a case-by-case basis. If they will use the guidance provided. Staff is also concerned that this failure to fully develop and provide training on these emergency procedures as required by §192.615(b)(2) could interfere with the Operator's ability to safely restore service when required.

During the field evaluation, Staff observed the Operator's personnel perform three (3) Protocol 9 field inspections in Jenkins County, Millen, GA. The Operator provided the individual qualifications to perform covered tasks. Staff examined the individual records before observing the performance in the field. Staff verified that qualification records for these individuals were current.

Dennis Small /Gas Technician / Performed 3 OQ Tasks: #1) 0301 Manually Opening and Closing Valves / Qualifications verified good through 5/18/2024. #2) 1301 Install and Maintain Pipeline Markers / Qualifications verified good through 2/21/2027. #3) 0141 Visual Inspect for Atmospheric Corrosion / Qualifications verified good through 7/13/2026. All Tasks were performed correctly, and all abnormal operating conditions were identified.

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 Millen

Docket Number: 37069

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	$_____ Proposed Penalty for this violation
☐ Notice of Amendment (NOA)	☐ Yes ☐ No	
☐ 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:	)	
	)	
Probable Violation Report, Notice of	)	**DOCKET NO. 37069**
Amendment, and Letter of Concern	)	
City of Millen Gas Department	)	
Inspection DL23-005 on January 26, 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 Millen 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

*Jeff Brantley, City Manager
City of Millen Gas Department
P.O. Box 929
Millen, GA 30442
jbrantley@cityofmillenga.gov

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

Respectfully Submitted this 5th day of March 2024:

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