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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 No. 37058

DOCKET # 37058
DOCUMENT # 217790

City of Hawkinsville Gas System
PO Box 120
90 Broad Street
Hawkinsville, GA 31036

REF: Follow Up Inspection # DL23-020

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Ms. Sara Myers

On July 24, 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 DL23-020 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. 37058 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: DL23-020

OPERATOR: City of Hawkinsville Gas System

INVESTIGATOR: David Lewis

INSPECTION DATE: July 24, 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 follow-up inspection of the Operators previously existing probable violations.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.1007(d)	Identify and implement measures to address risks.	AT22-042	8/18/2022
192.1011	What records must an operator keep?	AT22-042	8/18/2022
192.1007(e)	Measure performance, monitor results, and evaluate effectiveness.	AT22-042	8/18/2022

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF HAWKINSVILLE / FOLLOW UP
INSPECTION NUMBER DL23-020 / DOCKET NUMBER 37058

On July 24, 2022, Staff reported to the City of Hawkinsville to conduct a follow-up inspection of the Operators previously existing probable violations.

During this inspection the Operator was represented by:
Terry Conyer – Gas Superintendent
Sara Myers – City Manager
Wade Sharpe – Consultant (MGAG/SRCS)

Commission Staff was represented by:
David Lewis – Lead Inspector
Brant Sweat – Pipeline Safety Inspector

At the time of this inspection the City of Hawkinsville had three (3) previously existing probable violations. Staff reviewed these probable violations with the Operator and determined that:

PROBABLE VIOLATION CONTINUING

1. In regard to the probable violation of 49 CFR §192.1007(d) which was cited in Inspection Number AT22-042 in that inspection Staff stated that: "Operator failed to implement risk reduction measures as required under Part 192.1007(d)."

   OPERATOR FIRST RESPONSE: In their response letter to Inspection Number AT22-042, dated February 21, 2023, the City of Hawkinsville stated that: "The City of Hawkinsville (Hawkinsville) acknowledges that the referenced fittings are Threats: however the Risks associated with these Threats are small and there is no history of issues with either type fitting. Since only one of each fitting has been found in the system, Hawkinsville has elected to remove any additional fittings of either type if they are found in the system during the course of system operation and maintenance rather than expend effort searching for other instances that may not exist and risking damage to pipeline facilities in the process. Hawkinsville believes its commitment to removal of subsequently found fittings, even if they are not leaking, is a proactive step. Also, referring to the last sentence of COMMENTS for this Probable Violation, Hawkinsville did not agree to dig up any services in search of these types of fittings."

   FIRST FOLLOWUP INSPECTION: During this inspection (Inspection Number DL23-020) Staff found that the City of Hawkinsville had disagreed with this violation as stated in Inspection Number AT22-042 and had requested an informal conference with the Director. Because this informal conference has not yet occurred Staff did not follow up on this item.

   Staff determined that this probable violation cannot be cleared at this time.

2. In regard to the probable violation of 49 CFR §192.1007(e) which was cited in Inspection Number AT22-042 in that inspection Staff stated that: "Operator failed to implement performance measures for risk reduction as required under Part 192.1007(e)."

   OPERATOR FIRST RESPONSE: In their response letter to Inspection Number AT22-042 dated February 21, 2023 the City of Hawkinsville stated that: Performance measures related to the reference Continental and Dresser are in-place

   FIRST FOLLOWUP INSPECTION: During this inspection (Inspection Number DL23-020) Staff found that the City of Hawkinsville had disagreed with the violation of §192.1007(d) as stated in

Inspection Number AT22-042 and had requested an informal conference with the Director. Because this violation (192.1007(e)) is associated with the violation of §192.1007(d), and because the informal conference that was requested has not yet occurred Staff did not follow up on this item.

Staff determined that this probable violation cannot be cleared at this time.

3. In regard to the probable violation of 49 CFR §192.1011 which was cited in Inspection Number AT22-042 in that inspection Staff stated that: "Operator failed to maintain records demonstrating compliance with the requirements of Subpart P of 49 CFR Part 192."

   OPERATOR FIRST RESPONSE: In their response letter to Inspection Number AT22-042 dated February 21, 2023 the City of Hawkinsville stated that: The City of Hawkinsville will revise its Procedure for Continuing Surveillance to indicate more clearly how issues identified during this process will be reported.

   FIRST FOLLOWUP INSPECTION: During this inspection DL23-020, Staff examined the updated procedures for Continuing Surveillance, but the City of Hawkinsville had not completed form/record and the verbiage that would direct them to complete such a form/record.

   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 Hawkinsville

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37058

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:	)	
	)	
Continuing Violation Report	)	**DOCKET NO. 37058**
City of Hawkinsville Gas System	)	
Inspection DL23-020 on July 24, 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 Hawkinsville 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

*Sara Myers, City Manager
City of Hawkinsville Gas System
P.O. Box 120
90 Broad Street
Hawkinsville, GA 31036
sara@hawkinsvillega.net

*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