COMMISSIONERS

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

FILED
FEB 11 2025
EXECUTIVE SECRETARY
GPSC

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. 37072

DOCKET# 37072
DOCUMENT# 221386

City of Moultrie Gas Department
P. O. Box 3368
Moultrie, GA 31776

REF: Follow Up Inspection # JS24-023

☒ Certified Mail ☐ Regular Mail ☐ Email

Attention: Mr. Pete Dillard

On June 24, 2024, 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 JS24-023 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. 37072 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: JS24-023

OPERATOR: City of Moultrie Gas Department

INVESTIGATOR: Jason Smith

INSPECTION DATE: June 24, 2024 REPORT MAILED DATE: February 10, 2025

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 Operator's previously existing probable violations.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.181	Distribution line valves.	DL22-004	9/13/2022
192.625(f)	To assure the proper concentration of odorant in accordance with this section, each operator must...	DL22-004	9/13/2022

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

On July 23, 2024, Pipeline Safety Staff reported to the City of Moultrie to perform a follow-up inspection on the gas department's previously existing probable violations.

For this inspection, the Operator was represented by:
Marvin Mobley- Utilities Director
Zach Poling - Gas Supervisor
Sam Yarley – MGAG/SRCS (consultant)

Commission Staff was represented by:
Jason Smith - Lead Inspector
Glen Murphy - Pipeline Safety Inspector
Chuck Whitaker - Pipeline Safety Inspector

At the time of this inspection, the City of Moultrie was under two (2) previously existing probable violations.

PROBABLE VIOLATION CONTINUING

1. In regard to the probable violation of 49CFR §192.625(f) which was cited under Inspection Number DL22-004, in that inspection Staff stated: "The City of Moultrie failed to ensure that their natural gas system was properly odorized in accordance with the requirements of 49CFR §192.625(f)."

   A $5,000.00 civil penalty was proposed with this violation

   OPERATOR RESPONSE: In their response letter to Inspection Number DL22-004, dated February 7, 2023, the Operator requested an informal conference to discuss this probable violation and stated: "The City of Moultrie sent the subject device to the manufacturer for calibration. It was returned on October 18, 2022. Also, for comparison, the City of Moultrie sampled odorant using a calibrated device obtained another Operator and found that the odorant levels were comparable on the two machines."

   REVIEW OF OPERATOR RESPONSE: On February 15, 2023, Staff reviewed the City of Moultrie's response letter which was submitted for Inspection Number DL22-004. (Ref. Inspection Number DL23-009) In that review Staff stated: "Staff reviewed the Operator's response and documents provided by the Operator and believes that this violation should be cleared in person so we can discuss the fact that comparing their machine to another machine is irrelevant to this violation. Staff determined that this violation could not be cleared at this time."

   FOLLOW-UP INSPECTION: During this inspection (Inspection Number JS24-023) the Moultrie Gas Department presented documentation to Staff showing their Odorator had been calibrated by Heath Consultants on October 18, 2022, and its next calibration date would be November 18, 2024. The Operator also showed Staff they set an annual reoccurring reminder in Microsoft Outlook about the Odorator calibration for Marvin Mobley, Utilities Director and Zach Poling, Gas Supervisor.

Staff believed that the calibration document was the same document that was submitted by the Moultrie Gas Department previously and reviewed under Inspection Number DL23-009. When Staff reviewed the Odorator Calibration Certificate attached under Inspection Number DL23-009, Staff noticed that while the "CAL DATE:" of 10-18-22 matches, the "CAL DUE DATE:" is 01-18-24.

With closer examination, Staff noticed the "CAL DATE:" line; 10-18-22 on the document provided during this inspection (JS24-023) was mis-aligned, and there appears to be extra typing after the CAL DATE. The next line should read, "CAL DUE DATE", but it reads "DUE DATE:", with a 11-18-24 date that made Staff believe the Odorator is not due for calibration until at least FOUR (4) months after this follow-up inspection. Staff questions the authenticity of the document presented during this follow-up inspection. Based on the record presented and reviewed during Inspection Number DL23-009, Staff questions if Moultrie Gas Department's Odorator is certified during follow-up Inspection Number JS24-023.

NOTE FROM SUPERVISOR REVIEW OF INSPECTION NUMBER JS24-023: The documents provided by the Operator and reviewed by Staff in Inspection Number DL22-004 included a calibration certificate for Odorator Serial Number 1316 which indicated a CAL DATE of 10-18-22 and a CAL DUE DATE of 01-18-24.

The documents provided to Staff during this inspection (Inspection Number JS24-023) included a calibration certificate for Odorator Serial Number 1316 which indicated a CAL DATE of 10-18-22 and a CAL DUE DATE of 11-18-24.

On August 6, 2024 the FPU Supervisor contacted the calibration laboratory and was advised that the lab records indicated that this machine (Serial Number 1316) had only been calibrated once, and that the calibration was only good through 1-18-2024. Staff will be issuing a formal data request for more information related to this violation.

Staff determined this probable violation could not be cleared at this time.

2. In regard to the Notice of Amendment 49 CFR, §192.181 which was cited under inspection #DL22-004, in that inspection Staff stated, "The City of Moultrie must amend their procedures to address the placement of distribution line valves for their system."

   OPERATOR RESPONSE: In their response letter to Inspection Number DL22-004, dated February 7, 2023, the Operator stated: The City of Moultrie has implemented a Construction Manual that includes provisions for determining the placement of valves in newly constructed facilities. Also, the City of Moultrie is developing a map showing the locations of valves and the facilities controlled by these valves with completion expected by May 1, 2023."

   REVIEW OF OPERATOR RESPONSE: On February 15, 2023, Staff reviewed the City of Moultrie's response letter which was submitted for Inspection Number DL22-004. In that review Staff stated: "Staff determined that this violation could not be cleared at this time."

FOLLOW-UP INSPECTION: During this inspection (Inspection Number JS24-023) the Moultrie Gas Department provided Staff with a copy of their Construction Manual, section E 'Distribution Line Valves (Ref. §192.181)' and a system map book that shows the location of valves, and sections of the system that are affected by those valves. Currently, the language contained in section E of the Construction Manual is guidance criteria, and while this information is useful for the development of a valve placement procedure, it is not a procedure for the placement of valves. Moultrie Gas Department has not developed a specific process on how distribution line valves are to be placed in their system.

Staff determined that this probable 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.

OPERATOR RESPONSE FORM

Operator Name: City of Moultrie

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37072

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:	)	
	)	
City of Moultrie Gas Department	)	**DOCKET NO. 37072**
	)	
	)	
	)	

CERTIFICATE OF SERVICE

I, hereby certify that I have this day served a copy of the within and foregoing document on the following persons via email and/or United States certified/return receipt requested.

*Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

* Pete Dillard, City Manager
City of Moultrie Gas Department
P. O. Box 3368
Moultrie, GA 31776
pete.dillard@moultriega.com

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

Respectfully Submitted this 17th day of February 2025:

Cathy Nesbitt

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

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™

7011 2970 0003 0172 3621

7011 2970 0003 0172 3621

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Pos	

Postmark Here

Sent To: * Pete Dillard, City Manager
Street, Apt. N or PO Box N: City of Moultrie Gas Department
City, State, Zi: P. O. Box 3368
Moultrie, GA 31776

DN 37072-221386-JS24-023

PS Form 3800, August 2006 — See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

* Pete Dillard, City Manager
City of Moultrie Gas Department
P. O. Box 3368
Moultrie, GA 31776

DN 37072-221386-JS24-023

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7011 2970 0003 0172 3621

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540