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DOCKET# 37085
DOCUMENT# 222305

Docket No. 37085

City of Summerville Gas System
P. O. Box 180 120 Georgia Avenue
Summerville, GA 30747

REF: DIMP – Implementation Inspection # AT24-008

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Jason Winters

On February 7, 2024, a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an inspection of your gas system. The enclosed inspection report numbered AT24-008 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. 37085 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: AT24-008

OPERATOR: City of Summerville Gas System

INVESTIGATOR: Alan Towe

INSPECTION DATE: February 7, 2024 REPORT MAILED DATE: April 16, 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 an inspection of the Operators implementation of their Distribution Integrity Management Program (DIMP) for compliance with the minimum federal standards in 49CFR Part 192, SubPart P.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	AT22-004	2/1/2022
192.805(g)	Identify those covered tasks and the intervals at which evaluation of the individual's...	DL24-002	1/9/2024
192.614	Damage prevention program.	DL24-003	1/11/2024
192.619(a)	No person may operate a segment of steel or plastic pipeline at a pressure that exceeds a maximum...	DL24-003	1/11/2024
192.741(c)	If there are indications of abnormally high- or low-pressure, the regulator and the auxiliary...	DL24-003	1/11/2024
192.479(a)	Each operator must clean and coat each pipeline or portion of pipeline that is exposed to the...	DL24-003	1/11/2024
192.491(c)	Each operator shall maintain a record of each test, survey, or inspection required by this sub...	DL24-003	1/11/2024
192.467(a)	Each buried or submerged pipeline must be electrically isolated from other underground metallic...	DL24-003	1/11/2024
192.721(b)	Mains in places or on structures where anticipated physical movement or external loading could...	DL24-003	1/11/2024
192.615(a)(6)	Emergency shutdown and pressure reduction in any section of the operator's pipeline system neces...	DL24-003	1/11/2024
192.756	Joining plastic pipe by heat fusion; equipment maintenance and calibration.	DL24-003	1/11/2024

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.1007(a)(5)	Provide for the capture and retention of data on any new pipeline installed.	AT24-008	2/7/2024
192.1007(d)	Identify and implement measures to address risks.	AT24-008	2/7/2024
192.1007(f)	Periodic Evaluation and Improvement.	AT24-008	2/7/2024
192.1007(e)	Measure performance, monitor results, and evaluate effectiveness.	AT24-008	2/7/2024

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF SUMMERVILLE / DIMP IMPLEMENTATION
INSPECTION NUMBER AT24-008 / DOCKET NUMBER 37085

On February 15th, 2024, Staff perform a Distribution Integrity Management Implementation inspection virtually with the City of Summerville to review the Operators plan, and records for compliance with Subpart P of Part 192.

During this inspection, the Operator was represented by:
Deed Price – Regulatory Compliance Technician
Maurice Chaney – MGAG/SRCS (Consultant)

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

At the time of this inspection the City of Summerville was under one (1) previously existing probable violation. This violation will be addressed under Follow-Up Inspection Number DL24-001.

NOTICE OF PROBABLE VIOLATION

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

1. 49 CFR §192.1007 - What are the required elements of an integrity management plan?
   A written integrity management plan must contain procedures for developing and implementing the following elements:
   (a) Knowledge. An operator must demonstrate an understanding of its gas distribution system developed from reasonably available information.
   (5) Provide for the capture and retention of data on any new pipeline installed. The data must include, at a minimum, the location where the new pipeline is installed and the material of which it is constructed.

   COMMENTS: Review of work orders indicated that all piping information is not being captured as required. Staff also noted that this requirement was noted as an item of concern in DIMP Implementation inspection number JL18-023.

   PROBABLE VIOLATION: The City of Summerville failed to capture and perform retention of material and component data on new pipelines installed as required under §192.1007(a)(5).

2. 49 CFR §192.1007 - What are the required elements of an integrity management plan?
   A written integrity management plan must contain procedures for developing and implementing the following elements:
   (d) Identify and implement measures to address risks. Determine and implement measures designed to reduce the risks from failure of its gas distribution pipeline. These measures

must include an effective leak management program (unless all leaks are repaired when found).

COMMENTS: Operator has not implemented any AAs other than External Corrosion/Shorted Casings which indicated having less leaks reported in the last 5 years than other threats. Operator stated in their plan that current inspection and maintenance is sufficient, and no additional action is required. Staff concluded that the operator erroneously determined that no actions were necessary when risk reduction measures should have been taken. Also, the Operator only had one measure for their 12 threats which was External Corrosion/Shorted Casings. Operator records reviewed indicated they identified 5 casings and cleared one in March 2019. Record also indicated no more activity on casings due to Covid-19.

PROBABLE VIOLATION: The City of Summerville failed to implement measures designed to reduce risks from failures as required under 192.1007(d).

3. 49 CFR §192.1007 - What are the required elements of an integrity management plan?
A written integrity management plan must contain procedures for developing and implementing the following elements:
(e) Measure performance, monitor results, and evaluate effectiveness.
(1) Develop and monitor performance measures from an established baseline to evaluate the effectiveness of its IM Program. An operator must consider the results of its performance monitoring in periodically re-evaluating the threats and risks. These performance measures must include the following:
(i) Number of hazardous leaks either eliminated or repaired as required by § 192.703(c) of this subchapter (or total number of leaks if all leaks are repaired when found), categorized by cause;
(ii) Number of excavation damages;
(iii) Number of excavation tickets (receipt of information by the underground facility operator from the notification center);
(iv) Total number of leaks either eliminated or repaired, categorized by cause;
(v) Number of hazardous leaks either eliminated or repaired as required by § 192.703(c) (or total number of leaks if all leaks are repaired when found), categorized by material; and
(vi) Any additional measures the operator determines are needed to evaluate the effectiveness of the operator's IM program in controlling each identified threat.

COMMENTS: Baselines have not been established for all the Operators 12 risks/threats reported in their plan.

PROBABLE VIOLATION: The City of Summerville failed to establish baselines to evaluate the effectiveness of its Integrity Management plan as required under Part 192.1007(e).

4. 49 CFR §192.1007 - What are the required elements of an integrity management plan?

A written integrity management plan must contain procedures for developing and implementing the following elements:

(f) Periodic Evaluation and Improvement. An operator must re-evaluate threats and risks on its entire pipeline and consider the relevance of threats in one location to other areas. Each operator must determine the appropriate period for conducting complete program evaluations based on the complexity of its system and changes in factors affecting the risk of failure. An operator must conduct a complete program re-evaluation at least every five years. The operator must consider the results of the performance monitoring in these evaluations.

COMMENTS: The Operators' following threats: Excavation, Incorrect Operations, and Corrosion Leaks indicated increases in risk from established baselines without any new risk reduction measures being implemented or plan being reevaluated. Chapter 8 page 30 of the Operators DIMP Plan Periodic Evaluation & Improvement called for action to be taken because of an increase of risk beyond acceptable level. Operator failed to perform in accordance with plan. Also, the Operator doesn't have adequate risk reduction measures.

PROBABLE VIOLATION: The City of Summerville failed to perform a periodic evaluation that implemented measures to reduce risks and to ensure that they are producing the desired effect as required under Part 192.1007(f).

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 Summerville

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37085

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 Summerville Gas System	)	**DOCKET NO. 37085**
	)	
	)	
	)	

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 Mail as follows:

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

*Jason Winters, City Manager
City of Summerville Gas System
P.O. Box 180
120 Georgia Avenue
Summerville, GA 30747
jwinters@summervillega.org

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

Respectfully Submitted this 22nd day April 2025:

Cathy Nesbitt

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