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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. 37085

DOCKET# 37085
DOCUMENT# 222310

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

REF: Comprehensive Inspection # DL24-003

☒ Certified Mail ☐ Regular Mail ☐ Email

Attention: Mr. Jason Winters

On January 11, 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 DL24-003 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: DL24-003

OPERATOR: City of Summerville Gas System

INVESTIGATOR: David Lewis

INSPECTION DATE: January 11, 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 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.

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

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
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

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF SUMMERVILLE / COMPREHENSIVE INSPECTION
INSPECTION NUMBER DL24-003 / DOCKET NUMBER 37085

From January 10 to April 10, 2024, Staff requested the City of Summerville's Operation and Maintenance Manual, Emergency Manual, and five years of records. Staff also reported to the City of Summerville to conduct a comprehensive inspection of the Operators plans, programs, procedures, records, 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:
Deed Price - Regulatory Compliance Administrator
Maurice Chaney – 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 Summerville was under one (1) previously existing probable violation. See Inspection number DL24-001 for details.

During this inspection, Pipeline Safety Staff examined the City of Summerville 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 Summerville'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:

NOTICE OF PROBABLE VIOLATION

1. §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:
      (6) Taking necessary actions, including but not limited to, emergency shutdown, valve shut-off, or pressure reduction, in any section of the operator's pipeline system, to minimize hazards of released gas to life, property, or the environment.

STAFFS COMMENTS: During this inspection (Inspection# DL24-003) Staff reviewed the Operators procedure in their Emergency Plan Sec V and found that Item 4 refers to Appendix K for a listing of emergency valves that may be utilized for emergency shutdown or pressure reduction. Staff found that the Operator has not completed the valve records and their maps are insufficient because they fail to identify shutoff districts.

PROBABLE VIOLATION: The City of Summerville failed to demonstrate that they have established sufficient written procedures to minimize the hazard resulting from a gas pipeline emergency that will assure that their personnel can take necessary actions to minimize hazards of released gas to life, property, or the environment.

2. §192.614 Damage prevention program.
   (c) The damage prevention program required by paragraph (a) of this section must, at a minimum:
      (5) Provide for temporary marking of buried pipelines in the area of excavation activity before, as far as practical, the activity begins.

   STAFFS COMMENTS: During this inspection (Inspection# DL24-003) Staff reviewed the Operators locate request tickets for the last two weeks and found that the City of Summerville had not located eleven ticket request. Example: 240109-003090.

   PROBABLE VIOLATION: The City of Summerville failed to provide for temporary marking of buried pipelines in the area of excavation activity before, as far as practical, the activity begins.

3. §192.619 Maximum allowable operating pressure - Steel or plastic pipelines
   (a) No person may operate a segment of a high pressure distribution system at a pressure that exceeds the lowest of the following pressures, as applicable:
      (4) The pressure determined by the operator to be the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressures.

   STAFFS COMMENTS: During this inspection the City of Summerville was unable to provide documentation that a MAOP of their various pressurized systems had been established in accordance with Part 192.619.

   PROBABLE VIOLATION: The City of Summerville failed to demonstrate that they have established the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressures.

4. §192.756 Joining plastic pipe by heat fusion; equipment maintenance and calibration.
   Each operator must maintain equipment used in joining plastic pipe in accordance with the manufacturer's recommended practices or with written procedures that have been proven by test and experience to produce acceptable joints.

   STAFFS COMMENTS: During this inspection (Inspection# DL24-003) Operators could not demonstrate that they have maintenance records for their Ritmo hydraulic butt fusion machine.

PROBABLE VIOLATION: The City of Summerville failed to demonstrate that they have maintained equipment used in joining plastic pipe in accordance with the manufacturer's recommended practices or with written procedures that have been proven by test and experience to produce acceptable joints.

5. §192.741 Pressure limiting and regulating stations: Telemetering or recording gauges.
   (a) Each distribution system supplied by more than one district pressure regulating station must be equipped with telemetering or recording pressure gauges to indicate the gas pressure in the district.
   (c) If there are indications of abnormally high or low pressure, the regulator and the auxiliary equipment must be inspected and the necessary measures employed to correct any unsatisfactory operating conditions.

   STAFFS COMMENTS: During this inspection (Inspection# DL24-003) the City of Summerville could not provide records to demonstrate that they are reviewing the operation of their telemetering or recording gauges.

   PROBABLE VIOLATION: The City of Summerville failed to demonstrate that they have not experienced any abnormally high or low pressure events in the parts of their system that are required to be monitored under §192.741.

6. 49 CFR §192.467 External corrosion control: Electrical isolation
   (a) Each buried or submerged pipeline must be electrically isolated from other underground metallic structures, unless the pipeline and the other structures are electrically interconnected and cathodically protected as a single unit.

   STAFFS COMMENTS: During this inspection (Inspection# DL24-003) records and field verifications indicated that the City of Summerville has four (4) shorted casings (Lyerly Dam Rd., Berryton Baptist Church, Back Berryton Rd. @ Tanks, and Back Berryton Rd. @ Hwy 48.) A shorted casing at Hwy 53 North has been repaired and is no longer shorted.

   PROBABLE VIOLATION: The City of Summerville failed to isolate casing from carrier pipe as required under 49 CFR §Part 192.467(a).

7. 49 CFR §192.479 Atmospheric corrosion control: General.
   (a) Each operator must clean and coat each pipeline or portion of pipeline that is exposed to the atmosphere, except pipelines under paragraph (c) of this section.

   STAFFS COMMENTS: During this inspection (Inspection# DL24-003) Staff found numerous locations throughout their system that had atmospheric corrosion. (two Master Meter Sets at the Hays State Prison, meter multi bar header behind The Tooga Theatre at 10107 Commerce St.)

   PROBABLE VIOLATION: The City of Summerville failed to clean and coat each pipeline or portion of pipeline that is exposed to the atmosphere as required under 49 CFR §192.479(a).

8. 49 CFR §192.721 Distribution systems: Patrolling.

(b) Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage must be patrolled.

STAFFS COMMENTS: During this inspection DL24-003, Staff found a 2" steel line located on Washington St, and a 4" Steel line located on Scoggins St. crossing that were exposed and they were not on the City of Summerville's Patrol list.

PROBABLE VIOLATION: The City of Summerville failed to patrol distribution mains where anticipated movement that could cause failure or leakage as required under 49 CFR §192.721(b).

9. 49 CFR §192.491 Corrosion control records.
   (c) Each operator shall maintain a record of each test, survey, or inspection required by this subpart in sufficient detail to demonstrate the adequacy of corrosion control measures or that a corrosive condition does not exist. These records must be retained for at least 5 years with the following exceptions:
      (2) Operators must retain records of the two most recent atmospheric corrosion inspections for each distribution service line that is being inspected under the interval in § 192.481(a)(2).

   STAFFS COMMENTS: During this inspection (Inspection# DL24-003) the City of Summerville could not produce records of atmospheric corrosion monitoring as required under 49 CFR §192.491(c).

   PROBABLE VIOLATION: The City of Summerville failed to maintain documentation of atmospheric corrosion as required by 49 CFR §192.491(c).

ITEM OF CONCERN

§192.613 Continuing surveillance.
(a) Each operator shall have a procedure for continuing surveillance of its facilities to determine and take appropriate action concerning changes in class location, failures, leakage history, corrosion, substantial changes in cathodic protection requirements, and other unusual operating and maintenance conditions.
(b) If a segment of pipeline is determined to be in unsatisfactory condition but no immediate hazard exists, the operator shall initiate a program to recondition or phase out the segment involved, or, if the segment cannot be reconditioned or phased out, reduce the maximum allowable operating pressure in accordance with §192.619 (a) and (b).

STAFFS COMMENTS: During this inspection (Inspection# DL24-003) The City of Summerville could not demonstrate records/documentation of their continuing surveillance and the O&M manual does not require records to be kept of the surveillance.

ITEM OF CONCERN: The City of Summerville failed to demonstrate that they have performed continuing surveillance of their system as required.

PROPOSED CIVIL PENALTY

Under Commission Rule 515-9-1.01, by virtue of the authority vested in the Commission by law and pursuant to orders issued by the Commission on May 4, 1967, July 6, 1967, April 23, 1968, and October 29, 1970, all Rules and Regulations prescribed by the United States Department of Transportation applicable to the "Transportation of Natural and Other Gas by Pipeline: Minimum Safety Standards" (C.F.R. 49, Parts 191 and 192) are by this Rule made the Rules and Regulations of the Georgia Public Service Commission for the safe installation and operation of all natural gas transmission and distribution facilities by companies subject to the jurisdiction of the Commission within this State.

Under Commission Rule 515-9-3-.08 (Written Formal Notice of Violation), the Commission may propose a civil penalty in conjunction with this notice of probable violation. Further, the City of Summerville is subject to civil penalties under O.C.G.A. § 46-2-91(b) which states that: Any operator which violates any rule or regulation of the commission prescribed pursuant to subsection (i) of Code Section 46-2-20, or which fails, neglects, or refuses to comply with any order after notice thereof, shall be liable to a penalty not to exceed the maximum penalties provided for in 49 C.F.R. Section 190.223.

Staff has reviewed the circumstances surrounding the probable violations cited in this report and has recommended the civil penalty listed below. Please note that this recommended amount is less than the amount authorized by Georgia law.

Item #	Code / Rule	Description	Proposed Penalty
9	§192.491(c)(2)	Corrosion Control Records	$7,500.00
TOTAL PROPOSED PENALTY			$7,500.00

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 Summerville

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
☐ Notice of Amendment (NOA)	☐ Yes ☐ No
☐ Warning Letter	☐ Yes ☐ No
☐ Letter of Concern	☐ Yes ☐ No
☐ Observed Issue	☐ Yes ☐ No
☐ Proposed Civil Penalty	☐ Yes ☐ No

$_____
Proposed Penalty for this violation

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

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Sent To *Jason Winters, City Manager
City of Summerville Gas System
Street, Ap P.O. Box 180
or PO Box 120 Georgia Avenue
City, State Summerville, GA 30747

DN 37085-222310 DL.24-003

PS Form 3800, August 2005 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:

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

DN 37085-222310 DL.24-003

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 3676

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