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Georgia Public Service Commission

(404) 463-6526
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Atlanta, GA 30334-5701

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psc.ga.gov

DOCKET# 37085
DOCUMENT#222314

Docket No. 37085

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

REF: Operator Qualification Inspection # DL24-002

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Jason Winters

On January 9, 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 DL24-002 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: DL24-002

OPERATOR: City of Summerville Gas System

INVESTIGATOR: David Lewis

INSPECTION DATE: January 9, 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 Operator's operator qualification (OQ) program for compliance with the minimum federal standards in 49CFR §192, SubPart N.

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

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.805(g)	Identify those covered tasks and the intervals at which evaluation of the individual's...	DL24-002	1/9/2024

5. OTHER RECOMMENDATIONS/COMMENTS

From January 10-11, 2024, Staff reported to the City of Summerville to conduct an inspection of the Operator's operator qualification (OQ) program for compliance with the minimum federal standards in 49CFR §192, SubPart N.

This inspection was conducted by David Lewis, Lead Pipeline Safety Inspector virtually and Alan Towe reported to the City of Summerville's office to conduct the onsite portion of the inspection.

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

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 Operator Qualification inspection, Staff utilized PHMSA Operator Qualification Plan Review form 14 to review the City of Summerville's Gas Department's OQ plan and records, which includes their process for ensuring contractors compliance. Staff also utilized PHMSA form 15 for field Protocol 9 inspections.

NOTICE OF AMENDMENT

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. CODE REQUIREMENT: 49 CFR, §192.805 - Qualification program.
Each operator shall have and follow a written qualification program. The program shall include provisions to:
(g) Identify those covered tasks and the intervals at which evaluation of the individual's qualifications is needed.

STAFF'S COMMENTS: During this inspection Staff found that the Operators plan did not specify a minimum timeframe (e.g., 24, 48 hours) for reevaluation upon failure of evaluation for a covered task, nor establish how many times an individual will be allowed to go through the evaluation process before the qualification is revoked.

REQUIRED AMENDMENT: The City of Summerville must amend their OQ program to address the minimum timeframe for reevaluation upon failure of evaluation for a covered task, and to address how many times an individual will be allowed to go through the evaluation process before the qualification is revoked.

During this inspection Staff conducted OQ Protocol 9 field verification inspection and PHMSA Form 14 to ensure that covered task(s) were being performed in accordance with appropriate operator-approved procedures, that the procedures were present at the job site, and that the individuals performing the observed covered task(s) were adhering to the operator-approved procedures as written.
Deed Price performed the following covered Tasks and records indicated the following:
Task #0001, Measure Structure–To–Electrolyte Potentials, qualified till 3-4-25.
Task #0141, Visual Inspection for Atmospheric Corrosion, qualified till 3-4-25.
Task #1211, Odorization Periodic Sampling, qualified till 3-4-25.

Staff verified that Mr. Price was able to perform the covered tasks according to the procedures and was able to identify generic and task specific abnormal conditions and define the applicable actions.

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