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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# 37077
DOCUMENT# 222320

Docket No. 37077

City of Quitman Gas Department
PO Box 208
Quitman, GA 31643-0208

REF: Public Awareness Inspection # JS24-011

☒ Certified Mail ☐ Regular Mail ☐ Email

Attention: Mr. Willie Burns

On March 21, 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 JS24-011 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. 37077 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

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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JS24-011

OPERATOR: City of Quitman Gas Department

INVESTIGATOR: Jason Smith

INSPECTION DATE: March 21, 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 Public Awareness Program (PAP) for compliance with the minimum federal standards in 49CFR §192.616.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JS19-052	12/16/2019
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JS24-009	3/20/2024

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.616(c)	The operator must follow the general program recommendations, including baseline and supplemental...	JS24-011	3/21/2024

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF QUITMAN GAS DEPARTMENT / PUBLIC AWARENESS INSPECTION
INSPECTION NUMBER JS24-011 / DOCKET NUMBER 37077

On March 21, 2024, Pipeline Safety Staff met with a representative of the City of Quitman Gas Department via a Teams meeting to start performing a Public Awareness Program Effectiveness inspection. Then on March 27 & 28, 2024, Staff reported to Quitman to complete the inspection.

During this inspection, the Operator was represented by:
Josh Lairsey - ESG Compliance Specialist
Sam Yarley - MGAG/SRCS (consultant)

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

At the time of this inspection the City of Quitman Gas Department was under 12 (twelve) previously existing probable violations and a pending consent agreement. These violations are addressed under Follow-Up Inspection Number JS24-009.

NOTICE OF PROBABLE VIOLATION

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

49CFR §192.616 Public Awareness.
(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety.

STAFFS COMMENTS: Staff notes that each of the deficiencies indicated in this report were also found to be deficient during the Operators previous PAP inspection. (Ref. Inspection Number DL18-004) In that Inspection Staff proposed a civil penalty of $5,000.00 which was addressed under a consent agreement that was filed with the Commission on January 13, 2021.

PROBABLE VIOLATION: During this inspection Staff noted multiple deficiencies (identified below) which indicated that the City of Quitman Gas Department has failed to implement their Public Awareness Program as required.

NOTED DEFICIENCIES

a. PHMSA PAP Inspection Form Question #10 - Baseline Message Delivery Frequency
Did the delivery of materials and messages meet or exceed the baseline delivery frequencies specified in API RP 1162, Table 2-1 through Table 2.3?

NOTED DEFICIENCY: During this inspection the City of Quitman Gas Department was only able to provide documentation showing the Affected Public received messaging one time in 2021, instead of twice annually as required. Staff determined that the City of Quitman Gas Department failed to meet or exceed the baseline frequency for the delivery of materials and messages.

b. PHMSA PAP Inspection Form Question #11 - Liaison with Public Officials

Do records indicate liaisons established and maintained with appropriate fire, police, other public officials, and 911 emergency call centers in accordance with procedures?

NOTED DEFICIENCY: During this inspection the City of Quitman Gas Department was not able to provide documentation showing liaison efforts were made in 2021 with Emergency Officials and Public Officials. The City of Quitman Gas Department failed to establish and maintain liaison with appropriate emergency and public officials as required.

c. PHMSA PAP Inspection Form Question #15 - Evaluate Program Implementation
Has an audit or review of the operator's program implementation been performed annually since the program was developed?

NOTED DEFICIENCY: During this inspection, the City of Quitman Gas Department was not able to provide documentation (appendix C 'Annual Program Assessment Documentation' form) showing an annual audit of their Public Awareness Program had been performed in 2020, 2021 and 2022. The City of Quitman Gas Department failed to audit or review their program implementation annually as required.

d. PHMSA PAP Inspection Form Question #18 - Evaluating Program Effectiveness
Do records indicate program effectiveness evaluation(s) have been performed and cover all program requirements and all systems covered by the program?

NOTED DEFICIENCY: During this inspection, the City of Quitman Gas Department provided documentation showing they performed a periodic effectiveness evaluation in 2018 (appendix C-2 'Periodic Effectiveness Evaluation results' form) but was not able to show one being done four years later, in 2022. The City of Quitman Gas Department failed to conduct a program effectiveness evaluation every 4 years as required.

d. PHMSA PAP Inspection Form Question #19 - Measure Program Outreach
In evaluating effectiveness, was actual program outreach for each stakeholder audience tracked?

NOTED DEFICIENCY: During this inspection, the City of Quitman Gas Department provided documentation showing they performed a periodic effectiveness evaluation in 2018 (appendix C-2 'Periodic Effectiveness Evaluation results' form) but was not able to show one being done four years later, in 2022. The City of Quitman Gas Department failed to ensure program outreach for each stakeholder audience is being tracked because they failed to conduct a program effectiveness evaluation every 4 years as required.

e. PHMSA PAP Inspection Form Question #20 - Measure Understandability of Message Content
In evaluating program effectiveness, was the percentage of each stakeholder audience that understood and retained the key information from the messages determined?

NOTED DEFICIENCY: During this inspection the City of Quitman Gas Department provided documentation showing they performed a periodic effectiveness evaluation in 2018 (appendix C-2 'Periodic Effectiveness Evaluation results' form) but was not able to show one being done four years later, in 2022, so the percentage of each stakeholder audience that understood and retained key information from the messages could not be determined. The City of Quitman Gas Department failed to determine the percentage of each stakeholder audience that understood and retained key information from the messages because they failed to conduct a program effectiveness evaluation every 4 years as required.

f. PHMSA PAP Inspection Form Question #21 - Measure Desired Stakeholder Behavior
In evaluating program effectiveness, was evaluation made of whether appropriate preventive, response, and mitigative behaviors were understood and likely to be exhibited?

NOTED DEFICIENCY: During this inspection, the City of Quitman Gas Department provided documentation showing they performed a periodic effectiveness evaluation in 2018 (appendix C-2 'Periodic Effectiveness Evaluation results' form) but was not able to show one being done four years later, in 2022. This led to them not being able to say whether appropriate preventive, response, and mitigative behaviors were likely to be exhibited. The City of Quitman Gas Department failed to demonstrate whether appropriate preventive, response, and mitigative behaviors were understood and likely to be exhibited, because they failed to conduct a program effectiveness evaluation every 4 years as required.

g. PHMSA PAP Inspection Form Question #22 - Measure Bottom-Line Results
Were bottom-line results of the program measured by tracking third-party incidents and consequences including: (1) near misses, (2) excavation damages resulting in pipeline failures, (3) excavation damages that do not result in pipeline failures?

NOTED DEFICIENCY: During this inspection, the City of Quitman Gas Department provided documentation showing they performed a periodic effectiveness evaluation in 2018 (appendix C-2 'Periodic Effectiveness Evaluation results' form) but was not able to show one being done four years later, in 2022. The City of Quitman Gas Department was not able to measure bottom-line results of the program by tracking 3rd -party incidents and consequences including near misses, excavation damages resulting in failures and excavation damages that do not result in failures, because they failed to conduct a program effectiveness evaluation every 4 years as required.

h. PHMSA PAP Inspection Form Question #23 - Program Changes
Were needed changes and/or modifications to the program identified and documented based on the results and findings of the program effectiveness evaluations?

NOTED DEFICIENCY: During this inspection, the City of Quitman Gas Department provided documentation showing they performed a periodic effectiveness evaluation in 2018 (appendix C-2 'Periodic Effectiveness Evaluation results' form) but was not able to show one being done four years later, in 2022. Because of this, there is no way to know if changes and/or modifications to the program were necessary based on the results and findings of a program effectiveness evaluation. The City of Quitman Gas Department was not able to identify and document changes and/or modifications to the program based on results and finding of program effectiveness evaluations because they failed to do one every 4 years as required.

In conjunction with this PAP inspection Staff conducted an inspection of the City of Quitman's Operator Qualification (OQ) program. (Ref Inspection Number JS24-010) OQ Protocol 9 personnel evaluations were conducted and documented under that inspection.

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 Quitman Gas Department 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
1	§192.616(c)	Public Awareness	$10,000.00
TOTAL PROPOSED PENALTY			$10,000.00

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 Quitman

Docket Number: 37077

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	Proposed Penalty for this violation
☐ 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 Quitman Gas Department	)	**DOCKET NO. 37077**
	)	
	)	
	)	

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

* Willie Burns, City Manager
City of Quitman Gas Department
P.O. Box 208
Quitman, GA 31643-0208
wburns@quitmanga.gov

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

Respectfully Submitted this 22nd day of 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: * Willie Burns, City Manager
City of Quitman Gas Department

Street, Apt. No.; or PO Box No.: P.O. Box 208

City, State, ZIP+4: Quitman, GA 31643-0208

DN 31077. 222320 JS24.011

PS Form 3800, August 2006 — See Reverse for Instructions

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

* Willie Burns, City Manager
City of Quitman Gas Department
P.O. Box 208
Quitman, GA 31643-0208

DN 31077. 222320. JS24-011

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3. Service Type
☒ Certified Mail ☐ Express Mail
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