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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# 37083
DOCUMENT# 222422

Docket No. 37083

City of Statesboro Gas Department
P. O. Box 348
Statesboro, GA 30458

REF: Operator Qualification Inspection # AT24-007

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Charles Penny

On January 30, 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 AT24-007 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. 37083 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: AT24-007

OPERATOR: City of Statesboro Gas Department

INVESTIGATOR: Alan Towe

INSPECTION DATE: January 30, 2024 REPORT MAILED DATE: April 29, 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

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.805(b)	Ensure through evaluation that individuals performing covered tasks are qualified.	AT24-007	1/30/2024
192.805(g)	Identify those covered tasks and the intervals at which evaluation of the individual's...	AT24-007	1/30/2024

5. OTHER RECOMMENDATIONS/COMMENTS

From January 30-31, 2024, Staff conducted an inspection of the City of Statesboro Operator Qualification Program as required by the PHMSA State Program Guidelines.

During this inspection, the Operator was represented by:
Steve Hotchkiss – Statesboro, Utilities Director
Joe Hollingsworth – Statesboro, Natural Gas Superintendent
Nick Boggs – Statesboro, Natural Gas Assistant Superintendent
Antonio Busch – Statesboro, Natural Gas Crew Leader
Anderson Hulsey - Statesboro, Natural Gas Operator
Chris Cawley – 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 Statesboro had no previously existing probable violations.

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

WARNING LETTER

49 CFR §192.805 - Qualification program.
Each operator shall have and follow a written qualification program. The program shall include provisions to:
(b) Ensure through evaluation that individuals performing covered tasks are qualified.

COMMENTS: Staffs review of the Operators electronic qualification records indicated that their Natural Gas Superintendent, who was evaluated for qualification of a covered task, was also recorded as the one performing the evaluation. The Operators Natural Gas Superintendent stated that they were evaluated by other Operator personnel and that their new qualification software wouldn't allow them to add any other evaluator's name except the Natural Gas Superintendent. However, during this inspection, the Operator's consultant was able to correct the electronic qualification record and add the name of the Operator personnel who performed the Natural Gas Superintendent evaluation.

PROBABLE VIOLATION: The City of Statesboro failed to follow their qualification plan in accordance with Part 192.805(b). Their plan states an evaluator is "An individual selected or credentialed to conduct performance or oral interview evaluations to determine if the individual is qualified".

NOTICE OF AMENDMENT

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 Statesboro 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 performed O.Q. Protocol 9 field inspections on the following individuals: Mr. Nick Boggs, Mr. Antonio Busch, and Mr. Anderson Hulsey for the following covered tasks:

1. Task #1241 - Outside Leak Investigation.
2. Task #0331 - Valve- Visual Inspection and Partial Operation.
3. Task # 1291 Locate Underground pipeline.

Staff verified that each individual 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

Operator Name: City of Statesboro

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37083

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 Statesboro Gas Department	)	**DOCKET NO. 37083**
	)	
	)	
	)	

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

*Charles Penny, City Manager
City of Statesboro Gas Department
P.O. Box 348
Statesboro, GA 30458
charles.penny@statesboro.gov

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

Respectfully Submitted this 5th day of May 2025:

Cathy Nesbitt

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