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Georgia Public Service Commission

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(800) 282-5813

244 Washington Street, SW
Atlanta, GA 30334-5701

FAX: (404) 463-6532
psc.ga.gov

Docket No. 37091

DOCKET# 37091
DOCUMENT# 222430

Tifton Natural Gas Department
Box 229
Tifton, GA 31793

REF: Follow Up Inspection # DJ24-009

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Larry Lawrence

On January 29, 2024, a representative of the Georgia Public Service Commission Pipeline Safety/Facilities Protection Office conducted an on-site inspection of your gas system and found that previously identified probable violation(s) of the Pipeline Safety Regulations have either been cleared or are continuing, as identified below.

- ☐ Previously existing probable violation(s) has/have been cleared.
- ☒ Previously existing probable violation(s) still exist.
- ☐ Additional Enforcement
  - ☐ Notice of Proposed Violation
  - ☐ Notice of Proposed Violation with Proposed Civil Penalty
  - ☐ Warning Letter
  - ☐ Letter of Concern
  - ☐ Observed Issue
- ☐ Consent Agreement Pending

The enclosed inspection report numbered DJ24-009 is provided for your information and file.

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. 37091 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: DJ24-009

OPERATOR: Tifton Natural Gas Department

INVESTIGATOR: Daphne Jones

INSPECTION DATE: January 29, 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 a follow-up inspection of the Operators previously existing probable violations.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.465(d)	Each operator shall take prompt remedial action to correct any deficiencies indicated by the...	AT21-029	10/21/2021
192.353(a)	Each meter and service regulator, whether inside or outside a building, must be installed in	AT21-029	10/21/2021

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF TIFTON / FOLLOW-UP INSPECTION
INSPECTION NUMBER DJ24-009 / DOCKET NUMBER 37091

On January 30, 2024, Staff met with the City of Tifton Natural Gas department to perform a follow-up inspection of the Operators previously existing probable violations that were cited under AT21-029.

During this investigation, the Operator was represented by:
Adam Cobb – ESG – Tifton Project Manager
Rodgers Fraley – ESG-Utilities Manager
Josh Lairsey – ESG Operations Manager
Jesus Olguin – ESG- Supervisor in Training
Sam Yarley – MGAG/SRCS (Consultant)

Commission Staff was represented by:
Daphne Jones – Lead Inspector
Daniel Clemmons – Pipeline Safety Inspector

At the time of this inspection the City of Tifton was under two previously existing probable violations. Staff reviewed these probable violations with the Operator and determined that:

PROBABLE VIOLATION CONTINUING

1. In regard to the Probable Violation of 49CFR, §192.353(a) which was cited in Inspection Number AT21-029; in that inspection Staff stated: "The Operator failed follow their procedure and to ensure customer meters were installed in a manner to be protected from corrosion and other damage as required in 192.353 and their O&M procedures.

   FIRST OPERATOR RESPONSE: In their response letter to Inspection Number AT21-029, dated March 2, 2022, the City of Tifton stated: "Tifton has begun raising, removing, or replacing as appropriate. Previously identified meters in contact with the ground and is surveying its entire system to identify all such meters. The survey will be completed in three (3) phases/year, after each phase a plan and schedule will be developed fa addressing these meters within the surveyed area. Addressing the identified meters may also be dependent upon supply of materials and availability of funding." The Operator also requested an Informal Conference.

   SECOND OPERATOR RESPONSE: In their response letter to Inspection Number AT21-029, dated July 29, 2022, the City of Tifton stated: "Tifton has identified 383 meters from Phase 1 and have addressed 90 to date." The Operator also requested an Informal Conference.

   REVIEW OF OPERATOR RESPONSE: On February 9, 2023, Staff reviewed the City of Tifton's response letter which was submitted for Inspection Number AT21-029. In that review Staff stated: "During this inspection (AT23-013), On February 9, 2023, Staff met virtually with Operator personnel who indicated the Operator he been working on this issue and completed 171. However, they still have approximately 212 meters left that needs correcting. Staff determined that this violation cannot be cleared at this time."

   FOLLOWUP INSPECTION: During this inspection (DJ24-009), Staff found that the Operator has addressed a total of 548 meters at this time that need to be raised; 383 meters in Phase 1 and 165 meters in Phase 2. The Operator stated that Phase 3 will begin in February 2024 which will identify the remaining meters that need to be raised. They will conduct this in conjunction with the leak survey. Operator tentatively expected to finish Phase 3 by December 31, 2024.

   Staff determined that this violation could not be cleared at this time.

2. In regard to the Probable Violation of 49CFR, §192.465(d) which was cited in Inspection Number AT21-029; in that inspection Staff stated: "The City of Tifton failed to take prompt remedial action as required by §192.465(d) and their procedures."

   Staff proposed a civil penalty of $5,000.00 for this violation.

   FIRST OPERATOR RESPONSE: In their response letter to Inspection Number AT21-029, dated March 2, 2022, the City of Tifton stated: "Tifton notes that the shorted casing in question is located at Southwell Boulevard and Norfolk Southern Railroad. Tifton will obtain a permit from Norfolk Southern to allow access to the casing. Within 75 days of receipt of the permit. Tifton will attempt to clear the short. If Tifton is unable to clear the short, Tifton will determine whether this crossing should be abandoned or if the pipeline can be inserted with polyethylene pipe." The Operator also requested an Informal Conference to discuss the proposed $5, 000 civil penalty.

   SECOND OPERATOR RESPONSE: In their response letter to Inspection Number AT21-029, dated July 29, 2022, the City of Tifton stated: "Tifton is still in the process of obtaining the permit." The Operator also requested an Informal Conference to discuss the proposed $5, 000 civil penalty.

   INFORMAL CONFERENCE: On February 7, 2023, a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an informal conference as requested by the gas operator. During this meeting, the Operator discussed possible mitigative measures for the proposed civil penalties in Inspection Number AT21-029. Staff advised that it would consider any measures which went beyond the minimum requirements that the Operator was already required to perform. Staff directed the Operator to submit their proposals for mitigation of the proposed civil penalties in writing no later than 14 days following this meeting. The Operator was advised that if their proposals were found to be acceptable; they would be provided with a consent agreement to review which would address the mitigation of the proposed civil penalty and the measures required to address the probable violations.

   The FPU Director requested that the City of Tifton "Please submit a written response outlining the proposed mitigation measures to this inspection as specified in the attached report by U.S. Mail or e-mailing me at michellet@psc.state.ga.us. Please refer to Docket No. 37091 in your response."

   REVIEW OF OPERATOR RESPONSE: On February 9, 2023, Staff reviewed the City of Tifton's response letter which was submitted for Inspection Number AT21-029. In that review Staff stated: "During this inspection (AT23-013), On February 9, 2023, Staff met virtually with Operator personnel who indicated they've been working on this issue and are currently trying to get in touch with railroad company for permit to dig up the casing ends and correct short. Staff determined that this violation cannot be cleared at this time, and the civil penalty has not been addressed."

   TIFTON MITIGATION PROPOSAL: On March 6, 2023, the ESG Regional Manager sent an email to the Director of Pipeline Safety proposing several items to mitigate the civil penalties associated with the comprehensive inspection (AT21-029) performed by the GAPSC in 2021. The Operator requests the Director to advise us if the proposal is found to be acceptable. The Operator would like to be provided with a consent agreement to review which would address the mitigation of the proposed civil penalty and the measures required to address the probable violations.

   FOLLOWUP INSPECTION: During this inspection (DJ24-009), The Operator stated that the correct shorted casing address is at Southwell Blvd and Norfolk Southern Railroad not at Hwy 125 @ Hwy 41 during the 2019, 2020, and 2021 CP survey. The City of Tifton could not obtain a permit from Norfolk

Southern to allow access to the casing; therefore, Tifton does not have an easement at that crossing. The City of Tifton has decided to isolate and abandon the pipe which will eliminate the crossing. Operator tentatively expected to finish the isolation and abandonment by December 31, 2024.

On January 30, 2024, the FPU Director provided the Operator with a proposed consent agreement for Inspection Number AT21-029 to review which would address the mitigation of the proposed civil penalty and the measures required to address the probable violations.

Staff determined that this violation could not be cleared at this time.

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 Tifton

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37091

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:	)	
	)	
Tifton Natural Gas Department	)	**DOCKET NO. 37091**
	)	
	)	
	)	

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

*Larry Lawrence, Acting City Manager
Tifton Natural Gas Department
P.O. Box 229
Tifton, GA 31793
llawrence@tifton.net

*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