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DOCKET# 37043
DOCUMENT# 222431

Docket No. 37043

City of Dawson Gas & Water Dept.
P. O. Box 190
Dawson, GA 39842

REF: Follow Up Inspection # DC24-028

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Tracy Hester

On July 8, 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 DC24-028 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. 37043 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: DC24-028

OPERATOR: City of Dawson Gas & Water Dept.

INVESTIGATOR: Daniel Clemmons

INSPECTION DATE: July 8, 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
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	DL23-001	1/9/2023

3. CLEARED VIOLATIONS

Cleared on 7/8/2024

Violation	Description	Inspection#	Date
192.615(b)(3)	Review employee activities to determine whether the procedures were effectively followed in each...	AT19-013	3/4/2019
192.383(b)	Installation required. An EFV installation must comply with the performance standards in...	AT19-013	3/4/2019
192.616	Public education.	JH20-043	12/15/2020
192.703(c)	Hazardous leaks must be repaired promptly.	DL23-001	1/9/2023

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	DC24-028	7/8/2024

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF DAWSON GAS SYSTEM / FOLLOW-UP INSPECTION
INSPECTION NUMBER DC24-028 / DOCKET NUMBER 37043

From July 8-July 10 2024, Pipeline Safety Staff conducted an inspection virtually via Team's meeting with the City of Dawson Gas System and performed a follow-up inspection on the Operator's previously existing probable violations that were cited under AT19-013, JH20-043, and DL23-001. An exit meeting was conducted on July 22, 2024.

On July 22, 2024, Pipeline Safety Staff reported to the City of Dawson Gas System and performed a follow-up inspection on the Operator's previously existing probable violations that were cited under AT19-013, JH20-043, and DL23-001.

During this investigation, the Operator was represented by:
Morris Williams – Interim City Manager
Micheal Sinquefield – Public Works Director
Peter Schultz - Harp and Associates (consultant)

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

At the time of this inspection the City of Dawson Gas System was under four (4) previously existing probable violations. The City of Dawson is also in negotiations with the Director for proposed civil penalties for violations which were cited in Inspection Numbers AT19-013, JH20-043, DL19-048, and JH18-041. These penalties are:

Inspection #	Item#	Code	Ref	Proposed Penalty
JH18-041		515-9-3-.08	Failure to respond to Insp # SS14-007	$5,000.00
JH18-041		515-9-3-.08	Failure to respond to Insp # AT16-034	$10,000.00
JH18-041		515-9-3-.08	Failure to respond to Insp # AT16-035	$20,000.00
AT19-013	4	§192.615(c)	Liaison	$5,000.00
AT19-013	6	§192.225(b)	Welding Procedures	$5,000.00
AT19-013	7	§192.227(a)	Welder Qualifications	$5,000.00
AT19-013	8	§192.383(b)	Excess Flow Valves	$5,000.00
AT19-013	9	§192.463(a)	External Corrosion Control / CP	$5,000.00
AT19-013	11	§192.471(a)	External Corrosion Control / Test Leads	$5,000.00
AT19-013	12	§192.467(c)	External Corrosion Control / Casings	$5,000.00
AT19-013	13	§192.465(a)	External Corrosion Control / Monitoring	$5,000.00
AT19-013	14	§192.467(a)	External Corrosion Control / Shorts	$5,000.00
AT19-013	17	§192.465(d)	External Corrosion Control / Remedial Actions	$5,000.00
AT19-013	19	§192.703(c)	Hazardous Leaks	$5,000.00
AT19-013	20	§192.517(b)	Records	$5,000.00
AT19-013	21	§192.619(b)	MAOP	$5,000.00
DL19-048		§192.1011	DIMP Records	$5.000.00
JH20-043	1	§192.616	Public Awareness Programs	$10,000.00
TOTAL PROPOSED CIVIL PENALTIES				$110,000

Staff reviewed the previously existing probable violations with the Operator and determined the following:

PROBABLE VIOLATIONS CLEARED

1. In regard to the Probable Violation of 49CFR, §192.703(c) which was cited in Inspection Number DL23-001; in that inspection Staff stated: "The City of Dawson failed to ensure that a hazardous leak was repaired promptly as required by §192.703(c) and their O&M Procedures.

   OPERATOR RESPONSE: In their response letter to Inspection Number DL23-001, dated April 17, 2024, the City of Dawson stated: "The City of Dawson feels this issue was taken care of and has work order of repair, the management of past handled this to their urgency. Our Management in place upholds our procedures and deals with any leak according to our procedures and timelines. Dawson believes this violation should be cleared as the leak was repaired and condition was made safe, this was in the past practices and not our new ones."

   FOLLOWUP INSPECTION: During this inspection (DC24-028), Staff reviewed the Operators response. Staff also reviewed documents for Grade 1 leaks that have occurred subsequent to the original leak and found that the Operator has repaired those leaks in a timely manner.

   Staff determined that this violation could be cleared at this time.

2. In regard to the Notice of Probable Violation of 49CFR, §192.383(b), which was cited in Inspection Number AT19-013; in that inspection Staff stated: "Operator failed to install excess flow valve (EFV) on customer service pipelines as required under 192.383(b)."

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

   FIRST OPERATOR RESPONSE: In their response letter to Inspection Number AT19-013, dated June 28, 2019, the City of Dawson requested an informal conference to discuss the proposed civil penalty for this item and stated: "After April 04, 2017 each operator must install an EFV on any new or replaced service line serving the following types of services before the line is activated. The City of Dawson personnel failed to install EFV in 1 service line to a residential customer and 1 commercial customer (Pizza Hut) as required. The city personnel have stated that they will go back to each service and install an EFV if required to do so."

   FIRST FOLLOW-UP INSPECTION: On November 4, 2019 Staff reported to the City of Dawson to conduct a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number DL19-047). In this inspection Staff stated: "During this inspection (DL19-047) Staff found that the Operator has not yet addressed this violation. Staff also found that the Operator is negotiating a consent agreement with the Director to address the civil penalty which was proposed for this violation. Staff determined that this probable violation cannot be cleared at this time."

   SECOND OPERATOR RESPONSE: Staff found that the Operator failed to provide a response to Inspection Number DL19-047.

   SECOND FOLLOWUP INSPECTION: On December 16, 17, 2020 Staff reported to the City of Dawson to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number JH20-043) In that inspection Staff stated: "At the time of this inspection the City of Dawson was under nineteen (19) previously existing probable violations, Due to the time which would be required to address these issues, and in consideration of the fact that the Operator has new gas personnel and a new consultant, and a new City Manager, Staff elected not to perform a follow-up at this time, Staff advised the Operator that these items will be addressed in a future inspection."

THIRD OPERATOR RESPONSE: In their response letter to Inspection Number JH20-043, dated February 28, 2021, the City of Dawson stated: "This letter is in response to the City of Dawson inspection report JH20-043, Dated December 15, 2020 and received by operator on February 16, 2021. Please find below the necessary action and timeframe requested by the City of Dawson to correct the existing probable violations of CFR Part 192 of the regulations as determined by Inspector Jack Hewitt during a follow-up Inspection dated December 15, 2020. 192.383(b) – Excess Flow Valve Installation – Customer Notification – AT19-013 / 3/4/2019"

THIRD FOLLOWUP: On December 16 and 17, 2020, Pipeline Safety Staff reported to the City of Dawson to conduct an inspection of the Operator's Drug and Alcohol misuse plan for compliance with the minimum federal safety standards required by 49CFR Parts 40 and 199. (Ref. Inspection Number JJ20-053) In that inspection Staff stated: "At the time of this inspection the City of Dawson was under nineteen (19) previously existing probable violations. These violations will not be addressed at this time. These violations will be addressed under a future follow up inspection."

FOURTH OPERATOR RESPONSE: In their response letter to Inspection Number JJ20-053, dated February 28, 2021, the City of Dawson stated: "This letter is in response to the City of Dawson inspection report JJ20-053, Dated December 15, 2020 and received by operator on February 16, 2021. Please find below the necessary action and timeframe requested by the City of Dawson to correct the existing probable violations of CFR Part 192 of the regulations as determined by Inspector Joe Jones during a Inspection dated December 15, 2020. The City of Dawson and its consultant, Harp and Associates have reviewed the inspection report received from Pipeline Safety Office and Inspector Joe Jones and would like to make the following response to the existing Probable violations: 192.383(b) – Excess Flow Valve Installation – Customer Notification – AT19-013 / 3/4/2019 Completed"

FOURTH FOLLOWUP INSPECTION: On June 8, 2022, Staff reported to the City of Dawson Gas Department to perform an inspection of the Operator's Methane Emission Reduction Plan for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref. Inspection Number JJ22-028) In that inspection Staff stated: "At the time of this inspection the City of Dawson had twenty (20) previously existing probable violations. Staff did not review these items during this inspection."

FIFTH OPERATOR RESPONSE: Staff found that the Operator failed to provide a response to Inspection Number JJ22-028.

FIFTH FOLLOW-UP INSPECTION: On January 9-10, 2023 Staff reported to the City of Dawson to conduct a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number DL23-001) In this inspection Staff stated: "During this inspection (DL23-001) Staff examined the Operators' work order for the installation of one EFV for 337 and 338 Beach Street on July 5, 2022. Staff had noted in AT19-013 that the one residential service line did not have an EFV installed, but Staff and the operator did not know where this was. The Operator was unable to provide documentation for the installation of an EFV at a commercial customer (Pizza Hut). The Operator commented that they did not think there was an EFV made for the 2-inch commercial line, but Staff was able to find one online. Staff determined that this probable violation cannot be cleared at this time."

SIXTH OPERATOR RESPONSE: In their response letter to Inspection Number DL23-001, dated April 17, 2024 the City of Dawson stated: "The City of Dawson personnel failed to install EFV in 1 service line to a residential customer and I commercial customer Pizza Hut) as required. The city personnel have stated that they will go back to each service and install an EFV if required to do so. This has been completed. Dawson has work order and pictures of EFV installed @ Pizza Hut, this violation should be able to be cleared.

SIXTH FOLLOW-UP INSPECTION: During this inspection (DC24-028), Staff reviewed the Operators response and the documents provided by the Operator and found that it adequately addresses this violation.

Staff determined that this violation could be cleared at this time

3. In regard to the Notice of Probable Violation of 49CFR, §192.615(b)(3), which was cited in Inspection Number AT19-013; in that inspection Staff stated: "Operator failed to perform emergency response reviews as required under Part 192.615(b)(3) and their emergency manual procedures."

   FIRST OPERATOR RESPONSE: In their response letter to Inspection Number AT19-013, dated June 28, 2019, the City of Dawson stated: "The City of Dawson only has 1 employee in the natural gas department and that employee responds to any emergency situation in the City of Dawson. However, to the operator's knowledge there has not been an emergency situation in the City of Dawson that required anyone but the current personnel to respond to and he has no one to review his actions. Again, the city if trying to hire a Superintendent which should solve these problems."

   FIRST FOLLOW-UP INSPECTION: On November 4, 2019 Staff reported to the City of Dawson to conduct a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number DL19-047). In this inspection Staff stated: "During this inspection (DL19-047), Staff found that the Operator's new Gas Superintendent has been on the job since September 2019 and has not encountered an emergency situation. Since a follow up inspection is necessary in the future, Staff elected not to clear this violation at this time."

   SECOND OPERATOR RESPONSE: Staff found that the Operator failed to provide a response to Inspection Number DL19-047.

   SECOND FOLLOWUP INSPECTION: On December 16, 17, 2020 Staff reported to the City of Dawson to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number JH20-043) In that inspection Staff stated: "At the time of this inspection the City of Dawson was under nineteen (19) previously existing probable violations, Due to the time which would be required to address these issues, and in consideration of the fact that the Operator has new gas personnel and a new consultant, and a new City Manager, Staff elected not to perform a follow-up at this time, Staff advised the Operator that these items will be addressed in a future inspection."

   THIRD OPERATOR RESPONSE: In their response letter to Inspection Number JH20-043, dated February 28, 2021, the City of Dawson stated: "This letter is in response to the City of Dawson inspection report JH20-043, Dated December 15, 2020 and received by operator on February 16, 2021. Please find below the necessary action and timeframe requested by the City of Dawson to correct the existing probable violations of CFR Part 192 of the regulations as determined by Inspector Jack Hewitt during a follow-up Inspection dated December 15, 2020. 192.615(b)(3) – Emergency Plans – Review Operators Activities / AT19-013 / 3/4/2019"

   THIRD FOLLOWUP: On December 16 and 17, 2020, Pipeline Safety Staff reported to the City of Dawson to conduct an inspection of the Operator's Drug and Alcohol misuse plan for compliance with the minimum federal safety standards required by 49CFR Parts 40 and 199. (Ref. Inspection Number JJ20-053) In that inspection Staff stated: "At the time of this inspection the City of Dawson was under

nineteen (19) previously existing probable violations. These violations will not be addressed at this time. These violations will be addressed under a future follow up inspection."

FOURTH OPERATOR RESPONSE: In their response letter to Inspection Number JJ20-053, dated February 28, 2021, the City of Dawson stated: "This letter is in response to the City of Dawson inspection report JJ20-053, Dated December 15, 2020 and received by operator on February 16, 2021. Please find below the necessary action and timeframe requested by the City of Dawson to correct the existing probable violations of CFR Part 192 of the regulations as determined by Inspector Joe Jones during a Inspection dated December 15, 2020. The City of Dawson and its consultant, Harp and Associates have reviewed the inspection report received from Pipeline Safety Office and Inspector Joe Jones and would like to make the following response to the existing Probable violations: 192.615(b)(3) – Emergency Plans – Review Operators Activities / AT19-013 / 3/4/2019 Completed"

FOURTH FOLLOWUP INSPECTION: On June 8, 2022, Staff reported to the City of Dawson Gas Department to perform an inspection of the Operator's Methane Emission Reduction Plan for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref. Inspection Number JJ22-028) In that inspection Staff stated: "At the time of this inspection the City of Dawson had twenty (20) previously existing probable violations. Staff did not review these items during this inspection."

FIFTH OPERATOR RESPONSE: Staff found that the Operator failed to provide a response to Inspection Number JJ22-028

FIFTH FOLLOW-UP INSPECTION: On January 9-10, 2023 Staff reported to the City of Dawson to conduct a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number DL23-001) In this inspection Staff stated: "During this inspection (DL23-001) Staff examined the Operators Emergency Manual review sheet for the years of 2015 – 2022. Although when Staff examined the only "emergency response" in last few years, the work order did not have a signature from the supervisor showing that the work had been reviewed. Staff determined that this probable violation cannot be cleared at this time."

SIXTH OPERATOR RESPONSE: In their response letter to Inspection Number DL23-001, dated April 17, 2024 the City of Dawson stated: "Review employee activities to determine whether the procedures were effectively followed in each- At the time of original violation AT19-013 the City of Dawson had 1 person in Natural Gas Dept. The Inspector viewed a work order and it had not been signed off on. Since that inspection the Gas dept. has multiple employees in it. The Public works Dir. Reviews and signs off on any work orders done. The City of Daws feels this violation can be cleared."

SIXTH FOLLOW-UP INSPECTION: During this inspection (DC24-028), Staff reviewed the Operators response and the documents provided by the Operator and found that it adequately addresses this violation.

Staff determined that this violation could be cleared at this time

4. In regard to the Probable Violation of 49CFR §192.616(a) which was cited in inspection JH20-043; in that inspection Staff stated: "Based on the deficiencies identified under Questions 8, 9, 10, 11, 15, 16, 20, 21, and 22 of the PHMSA Public Awareness Program Effectiveness Inspection Checklist, the City of Dawson has failed to conduct a Public Awareness Program as required by 49CFR §192.616. Staff also note that the Operator received a Notice of Amendment, Notice of Probable Violation, and a

Proposed Civil Penalty in their previous Public Awareness Program inspection. (Ref. Inspection Number LB13-028)"

Staff proposed a civil penalty of $10,000.00 for this series of violations.

FIRST OPERATOR RESPONSE: In their response letter to Inspection Number JH20-043, dated February 28, 2021, the City of Dawson stated:

> "Inspection indicated that The City of Dawson failed to implement a written Public Awareness Plan to all covered stakeholders. The operator failed to mail out all notifications to all stakeholders, but this was due to the fact the (old guard) refused to do what was required of them to do and we couldn't convince them to do anything until the operator hired a new gas superintendent (Now Public Works Director). The new Director and new City Clerk are now doing what they are required to do, and this requirement should be in compliance within a short time. We realize the time frame for compliance with all records has passed but if the PSC will be lien with us, we will get this, and all other infraction corrected and in compliance.
>
> PROPOSED CIVIL PENALTY
>
> The City of Dawson acknowledges the Proposed Civil Penalties stated in this inspection and respectfully submits to the Public Service Commission that they would like to request an Informal Hearing to discuss the monetary fines as it would put the city in a real hardship to try and pay the Proposed Civil Penalties and also perform the work that is necessary to bring its natural gas system into compliance with all regulations."

FIRST FOLLOWUP INSPECTION: On June 8, 2022, Staff reported to the City of Dawson Gas Department to perform an inspection of the Operator's Methane Emission Reduction Plan for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref. Inspection Number JJ22-028) In that inspection Staff stated: "At the time of this inspection the City of Dawson had twenty (20) previously existing probable violations. Staff did not review these items during this inspection."

SECOND OPERATOR RESPONSE: Staff found that the Operator failed to provide a response to Inspection Number JJ22-028.

SECOND FOLLOW-UP INSPECTION: On January 9-10, 2023 Staff reported to the City of Dawson to conduct a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number DL23-001) In that inspection Staff stated:

> "During this inspection (DL23-001) Staff reviewed each of the identified deficiencies and made the following determinations:
>
> PROGRAM DEFICIENCIES
>
> (a) Question #8 - Educational Provisions; Did delivered messages specifically include provisions to educate the public, emergency officials, local public officials, and excavators on: (1) Use of a one-call notification system prior to excavation and other damage prevention activities; (2) Possible hazards associated with unintended releases from a gas pipeline facility; (3) Physical indications of a possible release; (4) Steps to

be taken for public safety in the event of a gas pipeline release; and (5) Procedures to report such an event?

COMMENTS FROM INSPECTION NUMBER JH20-043: Operator could not demonstrate that this has been done

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(b) Question #9 - Messages on Pipeline Facility Locations; Were messages developed and delivered to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations?

COMMENTS FROM INSPECTION NUMBER JH20-043: During this inspection the Operator was unable to provide records demonstrating this requirement had been performed.

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(c) 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?

COMMENTS FROM INSPECTION NUMBER JH20-043: During this inspection the Operator was unable to provide records demonstrating this requirement had been performed.

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(d) Question #11 - Liaison with Public Officials; Do records indicate liaisons established and maintained with appropriate fire, police and other public officials and utility owners in accordance with procedures?

COMMENTS FROM INSPECTION NUMBER JH20-043: Operator did not provide liaison documentation for compliance with 192.615(c).

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(e) Question #15 – Evaluate Program Implementation; Has an audit or review of the operator's program implementation been performed annually since the program was developed?

COMMENTS FROM INSPECTION NUMBER JH20-043: During this inspection the Operator was unable to provide records demonstrating this requirement had been performed.

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(f) Question #16. Acceptable Methods for Program Implementation Audits; Was one or more of the three acceptable methods (i.e., internal assessment, 3rd-party contractor review, or regulatory inspections) used to complete the annual audit or review of program implementation?

COMMENTS FROM INSPECTION NUMBER JH20-043: During this inspection the Operator was unable to provide records demonstrating this requirement had been performed.

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(g) 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?

COMMENTS FROM INSPECTION NUMBER JH20-043: During this inspection the Operator was unable to provide records demonstrating this requirement had been performed.

FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(h) 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.

COMMENTS FROM INSPECTION NUMBER JH20-043: During this inspection the Operator was unable to provide records demonstrating this requirement had been performed.

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency.

(i) 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?

COMMENTS FROM INSPECTION NUMBER JH20-043: During this inspection the Operator was unable to provide documentation in their last evaluation performed in 2018 that they had measured for bottom-line results as required under this part.

SECOND FOLLOW-UP INSPECTION: During this inspection (DL23-001) the Operator could not demonstrate that they have taken any actions to address this deficiency."

THIRD OPERATOR RESPONSE: In their response letter to Inspection Number DL23-001, dated April 17, 2024 the City of Dawson stated: "At the time of original Inspection JH20-043 the City of Dawson implemented and followed a Public Awareness Plan. Old Management would not adhere to Putting plan in place. Our city has been committed to following the Plan provided to us by our consultant. The City of Dawson feels this violation can be cleared up with the paperwork and plan we have in place."

THIRD FOLLOW-UP INSPECTION: During this inspection (DC24-028), Staff determined that the Operator has addressed this requirement.

Staff determined that this violation could not be cleared at this time; however the Operator will still need to address the outstanding penalty.

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 Dawson

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37043

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:	)	
	)	
City of Dawson Gas & Water Department	)	**DOCKET NO. 37043**
	)	
	)	
	)	

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

*Tracy Hester, City Manager
City of Dawson Gas & Water Department
P.O. Box 190
Dawson, GA 39842
tracyhester@cityofdawson.org

*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