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Georgia Public Service Commission

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244 Washington Street, SW
Atlanta, GA 30334-5701

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

Docket No. 37094

DOCKET# 37094
DOCUMENT# 222440

Town of Trion Gas Department
PO Box 850
1220 Pine St
Trion, GA 30753

REF: Public Awareness Inspection # JS24-022

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Lanny Thomas

On June 10, 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 JS24-022 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. 37094 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: JS24-022

OPERATOR: Town of Trion Gas Department

INVESTIGATOR: Jason Smith

INSPECTION DATE: June 10, 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 Public Awareness Program (PAP) for compliance with the minimum federal standards in 49CFR §192.616.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.181(b)	Each regulator station controlling the flow or pressure of gas in a distribution system must have...	JJ22-051	11/7/2022
192.467(c)	Except for unprotected copper inserted in a ferrous pipe, each pipeline must be electrically...	JJ22-051	11/7/2022
192.181(a)	Each high-pressure distribution system must have valves spaced so as to reduce the time to...	JJ22-051	11/7/2022

3. CLEARED VIOLATIONS

Cleared on 6/10/2024

Violation	Description	Inspection#	Date
192.747(b)	Each operator must take prompt remedial action to correct any valve found inoperable, unless the...	JJ22-051	11/7/2022
192.615(a)(6)	Emergency shutdown and pressure reduction in any section of the operator's pipeline system neces...	JJ22-051	11/7/2022

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.615(c)	Each operator shall establish and maintain liaison with appropriate fire, police, and other...	JS24-022	6/10/2024
192.616(c)	The operator must follow the general program recommendations, including baseline and supplemental...	JS24-022	6/10/2024

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED ISPECTION REPORT

On June 10 & 11 2024, Pipeline Safety Staff reported to Trion Gas Department to perform an inspection of the Operator's public awareness program.

During this inspection, the Operator was represented by:
Mike Hughes - Gas Department Superintendent
Maurice Chaney - MGAG/SRCS (consultant)

Pipeline Safety Staff was represented by:
Jason Smith - Lead Inspector
Joe Jones - Pipeline Safety Inspector

At the time of this inspection the Town of Trion Gas Department was under five (5) previously existing probable violation(s). These violations are addressed under follow-up Inspection Number JS24-021.

NOTICE OF PROBABLE VIOLATION

As a result of this inspection Staff found that the Town of Trion Gas Department was under probable violation of the minimum federal safety standards; specifically:

1. 49CFR §192.615 - Emergency Plans.
   (c) Each operator must establish and maintain liaison with the appropriate public safety answering point (i.e., 9-1-1 emergency call center) where direct access to a 9-1-1 emergency call center is available from the location of the pipeline, as well as fire, police, and other public officials, to:
   (1) Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency;
   (2) Acquaint the officials with the operator's ability in responding to a gas pipeline emergency;
   (3) Identify the types of gas pipeline emergencies of which the operator notifies the officials; and
   (4) Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.

   STAFFS COMMENTS: PHMSA PAP Effectiveness inspection form, question #20 & #11 (Liaison with Public Officials) states: Do records indicate liaisons established and maintained with appropriate fire, police, other public officials, and 911 emergency call centers in accordance with procedures?

   While reviewing Trion Gas Department's liaison records against their Emergency Manual; appendix C-1 'Emergency Responders Contact List', Staff found the following organizations were not on the list: Chattooga County Emergency Management (EMA), Walker County 911, Walker County Fire and the Walker County Sheriff's Office. In addition, during this inspection, the Operator was not able to demonstrate liaison was maintained with the Hayes Correctional Facility Fire Department during 2019, 2020, 2021 and the Walker County Sheriff's Office in 2023.

   PROBABLE VIOLATION: The Town of Trion Gas Department failed to maintain liaison with appropriate emergency officials.

2. 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.

PROBABLE VIOLATION: Based on deficiencies identified under PHMSA PAP Effectiveness inspection form questions 19, 20, 21 and 22; the Town of Trion Gas Department failed to follow §192.616(c) and the requirements of API RP 1162.

PROGRAM DEFICIENCIES

a) Question #19 (Measure Program Outreach) states:
In evaluating effectiveness, was actual program outreach for each stakeholder audience tracked?

STAFFS COMMENTS: Staff found that the Operator was not able to provide documentation to demonstrate how they were tracking the percentage of public awareness program outreach in the Public Official stakeholder audience group.

b) Question #20 (Measure Understandability of Message Content) states:
In evaluating program effectiveness, was the percentage of each stakeholder audience that understood and retained the key information from the messages determined?

STAFFS COMMENTS: Staff found that the Operator was not able to provide documentation to demonstrate the percentage of the Public Officials stakeholder audience group that understood and retained key information from the delivered message.

c) Question #21 (Measure Desired Stakeholder Behavior) states:
In evaluating program effectiveness, was evaluation made of whether appropriate preventive, response, and mitigative behaviors were understood and likely to be exhibited?

STAFFS COMMENTS: Staff found that the Operator was not able to provide documentation to demonstrate they attempted to measure whether appropriate preventive, responsive & mitigative behaviors were understood, and would be able to be exhibited when needed by the Public Officials stakeholder audience group.

d) Question #22 (Measure Bottom-Line Results) states:
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?

STAFFS COMMENTS: During this inspection Staff found that the Operator was not measuring bottom-line results of their program by tracking third-party incidents; including near misses, excavation damage that do not result in a failure, and pipeline failures from excavation damage. Staff notes that Trion's annual 7100 report indicates 3 excavation damages from 2012 to 2023 (1 in 2012, 1 in 2022 and 1 in 2023).

During this inspection Staff performed three (3) OQ Protocol 9 personnel field evaluations. Staff observed:

- Tyler Cordle performed "Manually Opening and Closing Valves" Task #0301 / Tasks performed correctly / Qualification verified as current / Qualifications good thru 4/13/2025.

- Jimmy Williams performed "Inside Gas Leak Investigation" Task #1231 / Tasks performed correctly / Qualification verified as current Qualifications good through 2/7/2025; and "Outside Gas Leak Investigation " Task #1241 / Tasks performed correctly / Qualification verified as current Qualifications good through 2/7/2025.

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

Informal Conference Requested: Yes ☐ No ☐

Operator Name: Town of Trion Gas Department

Docket Number: 37094

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:	)	
	)	
Town of Trion Gas Department	)	**DOCKET NO. 37094**
	)	
	)	
	)	

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

*The Honorable Lanny Thomas, Mayor
Town of Trion Gas Department
P.O. Box 850
1220 Pine Street
Trion, GA 30753
lthomas@townoftrion.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