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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 No. 37083

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

REF: Public Awareness Inspection # JS24-038



☐ Certified Mail

☐ Regular Mail

☒ Email

Attention: Mr. Charles Penny

On November 18, 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 JS24-038 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: JS24-038

OPERATOR: City of Statesboro Gas Department

INVESTIGATOR: Jason Smith

INSPECTION DATE: November 18, 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
192.805(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

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...	JS24-038	11/18/2024
192.616(g)	The program must be conducted in English and in other languages commonly understood by a...	JS24-038	11/18/2024

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF STATESBORO GAS DEPARTMENT / PUBLIC AWARENESS PROGRAM INSPECTION
INSPECTION NUMBER JS24-038 / DOCKET NUMBER 37083

On December 4 & 5, 2024, Pipeline Safety Staff reported to the city of Statesboro Natural Gas System to perform a Public Awareness Program inspection.

During this inspection, the Operator was represented by:

Joe Hollingsworth - Gas Superintendent
Kelli Saxon - Utilities Administrative Assistant
Steve Hotchkiss - Director of Public Utilities
Chris Cawley - 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 Statesboro Natural Gas System was under two (2) previously existing probable violations; however, because the Operator had not yet received the written report for these violations Staff did not perform a follow-up inspection.

During this inspection, Staff reviewed Statesboro Natural Gas System's Public Awareness Plan version 2.1 utilizing PHMSA Public Awareness Program Effectiveness Inspection form 21 to record the findings. Staff examined supporting records/documentation to verify compliance with the minimum safety standards.

NOTICE OF PROBABLE VIOLATIONS

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

1. 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.

PHMSA PAP Effectiveness inspection form question #10 states: 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?

STAFFS COMMENTS: While reviewing records of Public Awareness Program materials / messages being delivered to the affected public, adjacent to unique attribute locations (the odorization station and/or regulator stations) the Operator informed Staff that they have five properties adjacent to their odorizer. During 2021, 2022 and 2023, Statesboro Gas Department's Superintendent personally delivered the PAP materials / messages to the five (5) adjacent properties. Staff asked for the days these deliveries were done, or any other sort of verification to prove hand delivery of the PAP materials / messages. The Operator informed Staff that in 2021 it was done in mid-September. That was all the information the Operator was able to provide. They were not able to provide any documentation to prove the hand delivery of the PAP materials / messages in 2021 thru 2023.

CITY OF STATESBORO GAS DEPARTMENT / PUBLIC AWARENESS PROGRAM INSPECTION
INSPECTION NUMBER JS24-038 / DOCKET NUMBER 37083

PROBABLE VIOLATION: The City of Statesboro Gas Department failed to prove that they met or exceeded the baseline delivery frequencies of Public Awareness Program materials / messages for those adjacent to the pipeline odorization station, as specified in API RP 1162.

2. §192.616 - Public Awareness.

(g) The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area.

PHMSA PAP Effectiveness inspection form question #13 states: Were materials and messages developed and delivered in other languages commonly understood by a significant number and concentration of non-English speaking populations in the operator's areas?

STAFFS COMMENTS: The City of Statesboro Gas Department operates in Bulloch (home) county, Screven and Candler counties. The Operator's Public Awareness Plan states that when more than 5% of the citizens in their service area primary language spoken at home is a language other than English, the program will be conducted in the languages that are understood. While U.S. Census Bureau data show Statesboro & Screven County are under the 5%-mark, Candler County is more than 5%. It's at 9.7% Spanish being the language spoken at home. The Operator was not able to demonstrate Public Awareness materials and messages were being delivered in both English and Spanish (to the Candler County area of the system).

PROBABLE VIOLATION: The City of Statesboro Gas Department failed to conduct their Public Awareness Program in English and other languages commonly understood by a significant number and concentration of the non-English speaking population in their service area.

During this inspection Staff also performed an OQ Protocol 9 field evaluation inspection. Staff observed the Assistant Gas Superintendent, Nick Boggs performed task #0301-B (Manually Opening and Closing Service Valves) qualified through 10/08/2026; task #0681 (Joining Plastic Pipe Using Stab Fittings) qualified through 5/14/2025; and task #1291 (Locate Underground Pipelines) qualified through 6/06/2025.

His qualification records were provided for review prior to him performing the covered tasks. During the task evaluations Staff verified that the individual was able to perform each covered task by Statesboro's approved procedures, and he was able to identify the abnormal operating conditions associated with each task.

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

☐ New ☐ Continuing

☐ Yes ☐ No

\$ _____
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):

- ☐ Written statement indicating that corrective measures have achieved Compliance or
- ☐ Written plan of action outlining the corrective measures that will be taken to achieve compliance and when compliance is anticipated.

B. Response for **NOA**:

- ☐ **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
- ☐ **Not Contested**: Explanation, information, or other material believed to warrant modification of the NOA in whole or in part; or
- ☐ 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:

☐ Notice of Probable Violation (NOPV)

☐ Notice of Amendment (NOA)

☐ Warning Letter

☐ Letter of Concern

☐ Observed Issue

☐ Proposed Civil Penalty

Conference Requested: .

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

\$

Proposed Penalty for this violation

OPERATORS RESPONSE: _____

Response Provided by: _____

Name / Title

Date: _____

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: _____

OPERATOR RESPONSE FORM

Operator Name: City of Statesboro

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37083

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

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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