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Georgia Public Service Commission

(404) 463-6526
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DOCKET# 37070
DOCUMENT#222480

Docket No. 37070

City of Monroe Natural Gas Department
P. O. Box 725
Monroe, GA 30655

REF: Comprehensive Inspection # RS24-012

☒ Certified Mail ☐ Regular Mail ☐ Email

Attention: Mr. Logan Propes

On February 19, 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 RS24-012 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. 37070 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: RS24-012

OPERATOR: City of Monroe Natural Gas Department

INVESTIGATOR: Brant Sweat

INSPECTION DATE: February 19, 2024 REPORT MAILED DATE: May 1, 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 comprehensive inspection of the Operators plans, programs, procedures, pipeline, and pipeline facilities for compliance with the minimum federal safety standards in 49CFR Parts 191 and 192.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	RS23-035	12/12/2023

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.723(b)(2)	A leakage survey with leak detector equipment must be conducted outside business districts as...	RS24-012	2/19/2024
192.481(a)	Each operator must inspect each pipeline or portion of pipeline that is exposed to the atmosphere...	RS24-012	2/19/2024
192.625(f)	To assure the proper concentration of odorant in accordance with this section, each operator must...	RS24-012	2/19/2024

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

MONROE WATER LIGHT & GAS COMMISSION / COMPREHENSIVE INSPECTION
INSPECTION NUMBER RS24-012 / DOCKET NUMBER 37070

On February 19th, 2024, Staff reported to the Monroe Water Light & Gas Commission (City of Monroe Gas Department) to conduct a comprehensive inspection of the Operators plans, programs, procedures, pipeline, and pipeline facilities for compliance with the minimum federal safety standards in 49CFR Parts 191 and 192.

During this inspection, the Operator was represented by:
Brian Pittman – Gas Supervisor
Matthew Peters – Regulatory Compliance
Bruce Bagnasco – MGAG/SRCS (Consultant)

Commission Staff was represented in person by:
Brant Sweat – Lead Inspector
Joe Jones – Pipeline Safety Inspector
Jason Smith – Pipeline Safety Inspector

At the time of this inspection the City of Monroe Gas Department had One (1) previous existing probable violation. This violation was not discussed at the time of this inspection due to the Operator contacting the Director to set up an Informal Conference.

NOTICE OF PROBABLE VIOLATION

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

1. 49CFR, §192.625 Odorization of gas.
   (f) To assure the proper concentration of odorant in accordance with this section, each operator must conduct periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable.

   STAFF'S COMMENTS: The City of Monroe's procedure for Odorization – Periodic Sampling (OQ Procedure 1211) states that: "Each instrument used for periodic odorization sampling shall be operated and maintained in accordance with the manufacturer's recommended operating instructions."

   Staff reviewed the operating instructions for the Operators DTEX 1000 and noted that in Sections 1 and 4 it states: "Because of the potentially hazardous nature of conditions and elements involved in conducting tests, users are reminded to use extreme caution while operating the DTEX system. The system operated improperly or past due calibration could create a dangerous situation to both persons or property as well as produce inaccurate test results."

   Staff also noted that in Section 7 it states: "For system integrity and accuracy, an annual re-calibration and inspection of the DTEX system is required. The unit displays the next scheduled calibration date at start up and also in the information section, accessed via the keypad. The system will continue to operate if past due calibration, however all tests conducted with the unit in this state will be identified as such."

   Staff found that the Operators DTEX Gas Analyzer was out of calibration according to their instrument verification certificate between March 28, 2023, and February 20, 2024; however, the Operators test records indicated that the machine was used for periodic testing at least five (5) times between March 28, 2023, until February 20, 2024. The Operator stated that they were unaware of the machine being

out of calibration. Staff also noted that the Operators records only indicated the identity of the individual performing the tests on only one (1) of these five (5) occasions.

PROBABLE VIOLATION: The City of Monroe Gas Department failed to demonstrate that their gas system contained the proper concentration of odorant between March 28, 2023, until February 20, 2024. This was due to the Operators' failure to ensure that the instrument used for periodic testing was maintained in accordance with the manufacturers' procedures as required by their Operations and Maintenance Procedures.

2. 49CFR, §192.481 - Atmospheric Corrosion control: Monitoring.
   (a) Each operator must inspect and evaluate each pipeline or portion of the pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion, as follows:
      (1) Onshore other than a Service Line: At least once every 3 calendar years, but with intervals not exceeding 39 months.
      (2) Onshore Service Line: At least once every 5 calendar years, but with intervals not exceeding 63 months, except as provided in paragraph (d) of this section.

   COMMENTS: During this inspection Staff reviewed atmospheric corrosion surveys which were incorporated with Monroe's leak surveys and noticed in calendar year 2021 & 2022 there was no indication of AC being checked. The Operator was asked if the records for atmospheric corrosion monitoring were perhaps separated for some reason in 2021 and 2022. Monroe was not able to provide records for AC monitoring in 2021 & 2022 during the inspection.

   PROBABLE VIOLATION: The City of Monroe Gas Department failed to demonstrate that they inspected and evaluated each pipeline and portion of the pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion at least once every 5 calendar years, but with intervals not exceeding 63 months.

3. §192.723 - Distribution systems: Leakage surveys.
   (b) The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions, but it must meet the following minimum requirements:
      (2) A leakage survey with leak detector equipment must be conducted outside business districts as frequently as necessary, but at least once every 5 calendar years at intervals not exceeding 63 months. However, for cathodically unprotected distribution lines subject to § 192.465(e) on which electrical surveys for corrosion are impractical, a leakage survey must be conducted at least once every 3 calendar years at intervals not exceeding 39 months.

   STAFFS COMMENTS: Staff was not able to reconcile the City of Monroes numbers for reported leak survey miles and services as compared to their reported miles and services on their annual PHMSA 7100 reports. Staff attempted to reconcile these numbers under two different 5-year scenarios; 2018 to 2022; and 2019 to 2023

   Staff reviewed Monroe Water, Light & Gas Commission's annual PHMSA 7100 reports where they reported the following totals:
   - Calendar year 2018 – 167.96 miles of main and 4,201 services
   - Calendar year 2019 - 167.30 miles of main and 4,327 services
   - Calendar year 2020 - 180.83 miles of main and 4,448 services
   - Calendar year 2021 - 183.81 miles of main and 4,641 services
   - Calendar year 2022 - 197.89 miles of main and 4,827 services

- Calendar year 2023 - 198.82 miles of main and 4,935 services

During this inspection Monroe Gas advised that their non-business district leak survey was monitored on a 5-year calendar cycle. In addition, the 2018 and 2019 leak surveys were conducted by one contractor, while the 2020 through 2023 leak surveys were conducted by a different contractor. While reviewing the Operator's leak survey records Staff found the following:

- In 2018, 17.5 miles of main and 700 services were surveyed in the business district. 19.5 miles of main and 1,025 services were surveyed in the non-business district.
- In 2019, 17.5 miles of main and 703 services were surveyed in the business district. 20.5 miles of main and 1,291 services were surveyed in the non-business district.
- In 2020, 17.5 miles of main and 696 services were surveyed in the business district. 6.5 miles of main and 76 services were surveyed in the non-business district.
- In 2021, 17.5 miles of main and 687 services were surveyed in the business district. 11.5 miles of main and 681 services were surveyed in the non-business district.
- In 2022, 18.7 miles of main and 614 services were surveyed in the business district. 14.1 miles of main and 455 services were surveyed in the non-business district.
- In 2023, 18.7 miles of main and 641 services were surveyed in the business district. 65.63 miles of main and 1,057 services were surveyed in the non-business district.

For a 5-year cycle covering CY2018 to CY2022

Staff determined that the City of Monroe averaged 17.74 miles of business district main between 2018 and 2022. The Operators reported non-business district leak survey mileage totals for 2018-2022 indicates a total survey mileage of 72.10 miles, (19.5+20.5+6.5+11.5+14.1) for a 5-year total survey mileage of 89.84 miles. Based on the Operators 2018 reported mileage this would indicate that approximately 78.12 miles of main are unaccounted for in this 5-year leak survey.

Staff determined that the City of Monroe averaged 680 business district services between 2018 and 2022. The Operators reported non-business district leak survey service totals for 2018-2022 indicate a total survey service count of 3,528 services, (1,025+1,291+76+681+455) for a 5-year total survey service count of 4,208. Based on the Operators 2018 reported service count this would indicate that all reported services were surveyed at least once during this 5-year period.

For a 5-year cycle covering CY2019 to CY2023

Staff determined that the City of Monroe averaged 17.98 miles of business district main between 2019 and 2023. The Operators reported non-business district leak survey mileage totals for 2019-2023 indicates a total survey mileage of 118.23 miles, (20.5+6.5+11.5+14.1+65.63) for a 5-year total survey mileage of 136.21 miles. Based on the Operators 2019 reported mileage this would indicate that approximately 31.09 miles of main are unaccounted for in this 5-year leak survey.

Staff determined that the City of Monroe averaged 668 business district services between 2019 and 2023. The Operators reported non-business district leak survey service totals for 2019-2023 indicates a total survey service count of 3,560 services, (1,291+76+681+455+1057) for a 5-year total survey service count of 4,228. Based on the Operators 2019 reported service count this would indicate that 99 reported services were not surveyed during this 5-year period.

PROBABLE VIOLATION: The City of Monroe Gas Department failed to demonstrate that all their gas distribution facilities were leak surveyed as frequently as necessary, but at least once every 5 calendar years at intervals not to exceed 63 months.

LETTER OF CONCERN

1. 49CFR §192.353 - Customer Meters and Regulators: Location.
   (a) Each meter and service regulator, whether inside or outside a building, must be installed in a readily accessible location and be protected from corrosion and other damage, including, if installed outside a building, vehicular damage that may be anticipated. However, the upstream regulator in a series may be buried.

   STAFF'S CONCERN: During this inspection Staff identified two locations where customer meters were in contact with the ground (soil or ground covering), which has the potential of being a corrosive environment. The two locations were found in the rear of the 100 block of Broad Street. Staff is concerned that the City of Monroe Gas Department has failed to ensure customer meter sets were kept free from the buildup of mulch, pine straw, and other decorative groundcover that would protect them from corrosion or other damage as required.

2. 49CFR §192.605 Procedural manual for operations, maintenance, and emergencies
   (b) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.
   (8) Periodically reviewing the work done by operator personnel to determine the effectiveness and adequacy of the procedures used in normal operation and maintenance and modifying the procedures when deficiencies are found.

   STAFFS CONCERN: Based on the probable violations noted in this report Staff is concerned that the City of Monroe Gas Department is failing to meet the requirement to periodically review the work done by their personnel. Each of the issues noted in this report (odorization, leak survey and corrosion monitoring) could have, and should have been identified by the Operator prior to this inspection.

During this inspection Staff also conducted Protocol 9 OQ field evaluation for Randy Crowe, Senior Gas Serviceman. Staff observed Mr. Crowe as he performed three (3) covered tasks.

- Measuring Pipe to Soil Potentials / Task #0001 / Tasks performed correctly /Qualification verified as current / Qualifications good through 5/28/2026.
- Odorization Periodic Sampling / Task # 1211 / Tasks performed correctly / Qualification verified as current / Qualifications good through 3/28/2026.
- Rectifier and Obtain Readings / Task #0101 / Tasks performed correctly / Qualification verified as current / Qualifications good through 6/1/2026.
- Inspection for Atmospheric Corrosion / Task #0141 / Tasks performed correctly / qualification verified as current / Qualifications good through 3/28/2026.

PROPOSED CIVIL PENALTY

Under Commission Rule 515-9-1.01, by virtue of the authority vested in the Commission by law and pursuant to orders issued by the Commission on May 4, 1967, July 6, 1967, April 23, 1968, and October 29, 1970, all Rules and Regulations prescribed by the United States Department of Transportation applicable to the "Transportation of Natural and Other Gas by Pipeline: Minimum Safety Standards" (C.F.R. 49, Parts 191 and 192) are by this Rule made the Rules and Regulations of the Georgia Public Service Commission for the safe installation and operation of all natural gas transmission and distribution facilities by companies subject to the jurisdiction of the Commission within this State.

Under Commission Rule 515-9-3-.08 (Written Formal Notice of Violation), the Commission may propose a civil penalty in conjunction with this notice of probable violation. Further, the Monroe Water Light & Gas Commission is subject to civil penalties under O.C.G.A. § 46-2-91(b) which states that: Any operator which violates any rule or regulation of the commission prescribed pursuant to subsection (i) of Code Section 46-2-20, or which fails, neglects, or refuses to comply with any order after notice thereof, shall be liable to a penalty not to exceed the maximum penalties provided for in 49 C.F.R. Section 190.223.

Staff has reviewed the circumstances surrounding the probable violations cited in this report and has recommended the civil penalty listed below. Please note that this recommended amount is less than the amount authorized by Georgia law.

Item #	Code / Rule	Description	Proposed Penalty
1	§192.625(f)	Odorization	$5,000.00
2	§192.481(a)	Atmospheric Corrosion Monitoring	$5,000.00
3	§192.723(b)(2)	Leak Survey	$5,000.00
TOTAL PROPOSED PENALTY			$15,000.00

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 Monroe

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37070

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
☐ Warning Letter	☐ Yes ☐ No
☐ Letter of Concern	☐ Yes ☐ No
☐ Observed Issue	☐ Yes ☐ No
☐ Proposed Civil Penalty	☐ Yes ☐ No

$_____
Proposed Penalty for this violation

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 Monroe Natural Gas Department	)	**DOCKET NO. 37070**
	)	
	)	
	)	

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

*Logan Propers, City Administrator
City of Monroe Natural Gas Department
P.O. Box 725
Monroe, GA 30655
lpropes@monroega.gov

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

Respectfully Submitted this 19th day of May 2025:

Cathy Nesbitt

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