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MAR 12 2026 Georgia Public Service Commission

(404) 463-6526 EXECUTIVE SECRETARY  
(800) 282-5813 GPSC

244 Washington Street, SW  
Atlanta, GA 30334-5701

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

Docket No. 37086

City of Sylvania Gas Department  
104 South Main Street  
Sylvania, GA 30467

REF: Operator Qualification Inspection # JS25-001



Certified Mail

Regular Mail

Email

Attention: Ms. Stacy Mathis

On January 21, 2025, a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an inspection of your gas system. The enclosed inspection report numbered JS25-001 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. 37086 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 L. Thebert  
Director, Office of Pipeline Safety/Facilities Protection

**COMMISSIONERS**

JASON SHAW , Chairman  
LAUREN "BUBBA" McDONALD , Vice-Chairman  
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### REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JS25-001

OPERATOR: City of Sylvania Gas Department

INVESTIGATOR: Jason Smith

INSPECTION DATE: January 21, 2025      REPORT MAILED DATE: March 10, 2026

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 operator qualification (OQ) program for compliance with the minimum federal standards in 49 CFR §192, SubPart N.

## 2. CONTINUING VIOLATIONS

<b>Violation</b>	<b>Description</b>	<b>Inspection#</b>	<b>Date</b>
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JJ20-030	6/9/2020

## 3. CLEARED VIOLATIONS

## 4. NEW VIOLATIONS

<b>Violation</b>	<b>Description</b>	<b>Inspection#</b>	<b>Date</b>
192.807(b)	Records supporting an individual's current qualification shall be maintained while the individual...	JS25-001	1/21/2025

## 5. OTHER RECOMMENDATIONS/COMMENTS

On January 21, 2025, Pipeline Safety Staff began reviewing Sylvania Gas System's written Operator Qualification plan utilizing the PHMSA OQ Plan Review Inspection form.

On January 29, 2025, Staff reported to the City of Sylvania Gas System to perform an inspection of the Operator's Qualification program.

During this inspection the Operator was represented by:

Michael Phillips - Gas Tech  
Mark Beard - Gas Superintendent  
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 Sylvania Gas System had no previously existing probable violations but was negotiating a consent agreement with the FPU Director (ref. #JJ20-030).

### NOTICE OF PROBABLE VIOLATION

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

#### 49 CFR §192.807 - Recordkeeping

(b) Records supporting an individual's current qualification shall be maintained while the individual is performing the covered task. Records of prior qualification and records of individuals no longer performing covered tasks shall be retained for a period of five years.

STAFFS COMMENTS: On PHMSA's OQ Plan Review Inspection form, question #11 asks: Do records document the evaluation and qualifications of individuals performing covered tasks, and can the qualification of individuals performing covered tasks be verified?

Staff needed to verify that the Operator had records of prior qualifications of individuals no longer performing covered tasks, and they are retained for a period of five years. Sylvania Gas System utilizes Qualification Keeper to maintain their OQ records. Staff requested that the Operator demonstrate prior qualifications and records of Roy Burke, a Gas Tech who left the Operator in the summer (August) of 2023. The Operator was not able to access records for Roy Burke on the Qualification Keeper database. The Operator then began searching through their office for hard copies of his qualification records. While they were able to locate a few records (task evaluation checklist), Sylvania Gas System was not able to demonstrate they retained all of Roy Burks' prior qualification records for five years.

PROBABLE VIOLATION: Sylvania Gas System failed to maintain records of prior qualification and records of individuals no longer performing covered tasks for a period of five years as required by 192.807(b).

While on site, Staff performed Operator Qualification Protocol 9 field validation inspections on gas department personnel to ensure that covered tasks are being performed in accordance with appropriate operator-approved procedures. The Operator provided qualification records for Michael Phillips - Gas Technician; for Pipeline Safety Staff to examine prior to observing performance of the tasks. Staff verified that the qualification records for this individual were current.

Michael Phillips performed the following covered task:

Task #0301 'Open and Close Valves Manually' - His qualification is good through August 31, 2026.

Task #1011 'Apply or Repair Wrapped Coatings' - His qualification is good through August 31, 2026.

Task #1291 'Locate Underground Pipelines' - His qualification is good through September 16, 2025.

Staff verified Michael Phillips was able to perform the covered tasks according to the procedures and was able to identify generic and task specific abnormal operating conditions.

No issues were identified during this Protocol 9 inspection.

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 Sylvania

Informal Conference Requested: Yes  No

Docket Number: 37086

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:

- Notice of Probable Violation (NOPV)
- Notice of Amendment (NOA)
- Warning Letter
- Letter of Concern
- Observed Issue
- Proposed Civil Penalty

- New  Continuing
- New  Continuing
- New  Continuing
- New  Continuing
- New  Continuing

Informal Conference Requested

- Yes  No
- Yes  No
- Yes  No
- Yes  No
- 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):
  - 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:

- 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: \_\_\_\_\_

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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: \_\_\_\_\_

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# OPERATOR RESPONSE FORM

Informal Conference Requested: Yes  No

Operator Name: City of Sylvania

Docket Number: 37086

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## **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](mailto: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 Sylvania Gas Department**

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**DOCKET NO. 37086**

**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

\*Stacy Mathis, City Manager  
City of Sylvania Gas Department  
104 South Main Street  
Sylvania, GA 30467  
csyv@planters.net

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

Respectfully Submitted this \_\_\_\_\_ day of March 2026:

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