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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. 37099

DOCKET# 37099
DOCUMENT# 225796

City of Waynesboro Gas Dept.
615 N Liberty Street
Waynesboro, GA 30830

REF: Follow Up Inspection # JS25-002

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Valerie Kirkland

On January 30, 2025, 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 JS25-002 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. 37099 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: JS25-002

OPERATOR: City of Waynesboro Gas Dept.

INVESTIGATOR: Jason Smith

INSPECTION DATE: January 30, 2025 REPORT MAILED DATE: March 11, 2026

Any questions concerning this report may be directed to the above address or by telephoning (404) 463-6526.

1. PURPOSE OF INSPECTION

To follow-up with the City of Waynesboro's compliance with the terms of their Consent Agreement related to probable violations and proposed civil penalties from Inspection Numbers AT17-036 and JL13-012.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
Under Consent Agreement	Operator is under a Consent Agreement.	DL20-025	6/30/2020
199.227	Retention of records.	JS25-003	1/27/2025
199.117	Recordkeeping	JS25-003	1/27/2025

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF WAYNESBORO NATURAL GAS SYSTEM / CONSENT AGREEMENT FOLLOW-UP
INSPECTION NUMBER JS25-002 / DOCKET NUMBER 37099

On January 30, 2025, Pipeline Safety Staff reported to the City of Waynesboro to perform an inspection on the Natural Gas System's drug and alcohol program. While on site Staff followed up with the status of a consent agreement they are currently under with the Commission.

At the time of this inspection the Operator was represented by:
LaTonya Wimberly - Human Resources Director (DER)
Valerie Kirkland - City Manager
Chris Cawley - MGAG/SRCS (consultant)

Commission Staff were represented by:
Jason Smith - Lead Inspector
Glen Murphy - Pipeline Safety Inspector

At the time of this inspection the City of Waynesboro Natural Gas System had no previously existing probable violations but was under a consent agreement from #JL13-012.

During this inspection (#JS25-002) Staff found that on July 31, 2019, the City of Waynesboro signed a Consent Agreement with the Commission to address the probable violation of 49 C.F.R. §192.13(c) and proposed civil penalty of Fifteen Thousand Dollars ($15,000.00) which was cited in Inspection Number JL13-012. Staff found that there were four (4) items in the consent agreement, and one (1) (Item 4) had already been addressed. Staff reviewed each of the remaining items from the Consent Agreement and determined the following:

CONSENT AGREEMENT ITEMS CONTINUING

a) Consent Item 1 - Waynesboro shall send two employees to the Georgia Pipeline Safety Seminar in Macon beginning in 2020 for the next three (3) years at an estimated cost of $1000 per person per year.

   FIRST FOLLOW-UP: During the first follow-up inspection (DL20-025), Staff determined that due to the Covid 19 conditions, the Georgia Pipeline Safety Seminar did not take place, and this item could not be addressed.

   SECOND FOLLOW-UP: During the second follow-up inspection (DL23-007) Staff determined that this item cannot be corrected until the 2023 Georgia Pipeline Safety Seminar in Macon.

   THIRD FOLLOW-UP INSPECTION (3): During this inspection; #JS25-002, the Operator informed Staff that their Gas Superintendent, Everett Rhodes has been attending the Pipeline Safety Seminar. They provided an e-mail verification from the Georgia Municipal Association's Deputy Director of Conferences & Management Services, stating Everett Rhodes has attended the seminar every year since 2013. The Georgia Municipal Association also informed Staff that in 2022, two other people did accompanied Everett Rhodes to the seminar. The City of Waynesboro Natural Gas has not been able to demonstrate a second person also attended the Georgia Pipeline Safety Seminar in Macon with the Gas Superintendent for all three years.

   The Operator is advised that failing to complete this requirement at the next scheduled pipeline safety seminar will result in an evaluation by the Director to determine if the City of Waynesboro should be scheduled for a hearing with the Commission to determine if they should be subject to additional enforcement for failing to comply with a Commission order.

   Staff determined that Consent Item 1 has not been fully addressed.

b) Consent Item 2 - Waynesboro shall send one employee to the Drug and Alcohol class offered by Staff during the next three Pipeline Safety Seminars beginning in 2020 at an estimated cost of $500.00 per year.

FIRST FOLLOW-UP: During the first follow-up inspection (DL20-025) the City of Waynesboro could not provide documentation showing that the City of Waynesboro employee completed the class for Drug and Alcohol training.

SECOND FOLLOW-UP: During the second follow-up inspection (DL23-007) Staff determined that this item cannot be corrected until the 2023 Georgia Pipeline Safety Seminar in Macon.

THIRD FOLLOW-UP INSPECTION: During this inspection (JS25-002) the Operator informed Staff that they did not have documented verification that anyone, including their Gas Superintendent attended the Drug and Alcohol class offered by Pipeline Safety Staff during the Pipeline Safety Seminars in Macon.

The Operator is advised that failing to complete this requirement at the next scheduled pipeline safety seminar will result in an evaluation by the Director to determine if the City of Waynesboro should be scheduled for a hearing with the Commission to determine if they should be subject to additional enforcement for failing to comply with a Commission order.

Staff determined that Consent Item 2 has not been addressed.

CONSENT AGREEMENT ITEM CLEARED

Consent Item 3 - Waynesboro shall become a member of the Georgia Pipeline Emergency Responders Initiative ("GPERI") for a period of three (3) years at a cost of $400.00 per year. The projected completion date is June 30, 2023.

FIRST FOLLOW-UP: During the first follow-up inspection (DL20-025) Staff examined documentation showing that the City of Waynesboro has been participating in the GPERI initiative since May 16, 2019.

SECOND FOLLOW-UP: During the second follow-up inspection (DL23-007) Staff determined that this item cannot be corrected until 2023. The projected completion date is June 30, 2023.

THIRD FOLLOW-UP INSPECTION: During this inspection; #JS25-002, the Operator informed Staff that they have been members of the Georgia Pipeline Emergency Responders Initiative program for more than three years. They provided an e-mail verification from the Georgia Municipal Association's Deputy Director of Conferences & Management Services, stating Waynesboro has had an active GPERI membership from 2019-2024.

Staff determined that Consent Item 3 has been fully addressed.

Staff determined that this Consent Agreement cannot be cleared at this time.

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: City of Waynesboro Docket Number: 37099

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 Waynesboro Gas Department	)	**DOCKET NO. 37099**
	)	
	)	
	)	

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

*Valerie Kirkland, City Manager
City of Waynesboro Gas Department
615 N. Liberty Street
Waynesboro, GA 30830
vkirkland@waynesboroga.com

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

Respectfully Submitted this _____ day of March 2026:

Cathy Nesbitt

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