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psc.ga.gov

Docket No. 37071

DOCKET# 37071
DOCUMENT# 227401

City of Monticello Gas Department
P. O. Box 269
Monticello, GA 31064

REF: Public Awareness Inspection # JS26-003

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: LaThaydra Sands

On January 5, 2026, a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an inspection of your gas system. The enclosed inspection report numbered JS26-003 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. 37071 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: JS26-003

OPERATOR: City of Monticello Gas Department

INVESTIGATOR: Jason Smith

INSPECTION DATE: January 5, 2026 REPORT MAILED DATE: July 29, 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 Public Awareness Program (PAP) for compliance with the minimum federal standards in 49CFR §192.616.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.807	Recordkeeping.	JS25-008	3/17/2025

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.615(c)	Each operator shall establish and maintain liaison with appropriate fire, police, and other...	JS26-003	1/5/2026
192.616(c)	The operator must follow the general program recommendations, including baseline and supplemental...	JS26-003	1/5/2026
192.616(i)	The operator's program documentation and evaluation results must be available for periodic review...	JS26-003	1/5/2026

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

On January 5, 2026, Pipeline Safety Staff began reviewing the City of Monticello Gas System's PAP plan utilizing PHMSA's Public Awareness Program Program Effectiveness Inspection form. On January 12, 2026, Staff reported to the Monticello Gas System to continue the PAP inspection and review records.

During this inspection the Operator was represented by:
Kyelah Stewart - Gas Compliance Officer
Wade Sharpe - MGAG/SRCS (consultant)

Commission Staff was represented by:
Jason Smith - Lead Inspector
Brian Withrow - Pipeline Safety Inspector

At the time of this inspection, the City of Monticello Gas System was under one (1) previously existing probable violation. Staff reviewed this probable violation with the Operator briefly, but since they had not received the inspection report it was cited under at the time of this public awareness inspection, they have not had an opportunity to officially respond. A follow-up inspection was not done at this time.

WARNING LETTER

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.

   PHMSA Public Awareness Program 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?

   COMMENTS: During this inspection, the Operator showed Staff an e-mail inviting Emergency Responders and Public Officials to a scheduled September 13, 2021, liaison presentation they were giving, but they could not provide documentation demonstrating that it took place. In addition, the Operator could not show where they e-mailed their liaison documentation to Emergency Responders and Public Officials in calendar 2024.

   PROBABLE VIOLATION: The City of Monticello Gas System failed to maintain liaison as required by §192.615(c).

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.

PHMSA Public Awareness Program Effectiveness Inspection form question #10 'Baseline Message Delivery Frequency' states: Did the delivery of materials and messages meet or exceed the baseline delivery frequencies specified in API RP 1162 (1st Edition), Table 2-1 through Table 2.3?

COMMENTS: The Affected Public (customers) should have messages/materials delivered to them twice annually. In 2021, the Operator was only able to demonstrate they delivered messaging to customers in May 2021. Then in 2022, they were only able to demonstrate delivery of the messaging in October 2022.

Unique Attribute Locations (odorization station and regulator stations) should have messages/materials delivered annually. According to the Operator, in 2021 material/messaging was probably hand delivered, but they had no way of proving it. In other years they were able to tell Staff the days messages/materials were delivered. Then in 2025, Operator personnel hand delivered material/messaging, but they could not provide documentation demonstrating such.

Emergency Officials should have messages/materials delivered annually. The Operator informed Staff that a slip up caused them to miss sending the messaging/material out in December 2024, when they were supposed to and by the time they caught the mistake it was January 7, 2025.

PROBABLE VIOLATION: The City of Monticello failed to follow the general program recommendations, including baseline and supplemental requirements of API RP 1162 in terms of the frequency of the delivery of materials and messages.

3. 49CFR §192.616 - Public awareness.
   (i) The operator's program documentation and evaluation results must be available for periodic review by appropriate regulatory agencies.

PHMSA Public Awareness Program Effectiveness Inspection form question #15 'Evaluate Program Implementation' states: Has an audit or review of the operator's program implementation been performed annually since the program was developed?

COMMENTS: Monticello's Public Awareness Program section XI 'Program Assessment & Evaluation' states: The Program Administrator or his/her designee is responsible for ensuring that the program assessments and evaluations are performed in accordance with the guidelines listed in the table below: Self-Assessment of Implementation (Annual Audits) are done by Internal Review, or Third Assessment, or Regulatory Inspection; annually.

Section XI.1 'Program Assessment' states: Appendix C-1 and the Annual Review Sheet located in the front of this plan shall serve as documentation of program assessment

During this inspection, Staff found the Operator failed to complete the appendix C-1 'Annual Program Assessment Documentation' form for calendar years 2022 and 2023.

PROBABLE VIOLATION: The City of Monticello Gas System failed to document their Public Awareness Program annual review as stated in their plan.

ITEM OF CONCERN

STAFFS CONCERN: During this inspection, Staff noted that the City of Monticello Public Awareness Program process for compliance with §192.616(g) references Section 203 of the Voting Rights Act.

- Staff have been unable to locate any evidence where the code requirement, or the guidance in API Recommended Practice (RP) 1162, references the Voting Rights Act of 1965.
- Staff notes that the Voting Rights Act appears to only pertain to individuals who are of voting age, and under that guidance, there is only one county in Georgia—Gwinnett County—that is federally required to provide election materials in another language (Spanish) under Section 203.
- The requirements under §192.616 are specifically aimed at the non-English speaking population in the operator's area, and the guidance from API RP 1162 refers to the affected public—i.e., residents, and places of congregation (businesses, schools, etc.) along the pipeline and the associated right-of-way (ROW).

Staff are concerned that the City of Monticello may be relying on a legal framework—specifically, the Voting Rights Act—that is not aligned with the intent or scope of 49 CFR §192.616(g) or the guidance provided in API Recommended Practice (RP) 1162. While Section 203 of the Voting Rights Act requires certain jurisdictions to provide election materials in languages other than English, it applies only to voting-age citizens and is based on specific thresholds related to voter participation. Currently, only one county in Georgia—Gwinnett County—is subject to these requirements.

Staff is concerned that referencing Section 203 as a basis for language outreach may result in an underestimation of the non-English speaking population that should be considered in the operator's public awareness efforts. The requirements under §192.616(g) and API RP 1162 are broader in scope, focusing on the general public—including residents, businesses, schools, and other places of congregation—along the pipeline right-of-way. These requirements are not limited to voting-age individuals and instead emphasize communication with all segments of the affected public, including those with limited English proficiency.

The City of Monticello is advised that Staff will continue to review this matter with the Commissions legal staff and may issue a written data request to further evaluate the operator's process for identifying and reaching non-English speaking populations.

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 Monticello

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37071

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	Proposed Penalty for this violation
☐ 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 Monticello Gas Department	)	**DOCKET NO. 37071**
	)	
	)	
	)	

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

*LaThaydra Sands, City Manager
City of Monticello Gas Department
P.O. Box 269
Monticello, GA 30164
lsands@monticelloga.org

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

Respectfully Submitted this 3rd day of August 2026:

Cathy Nesbitt

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