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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. 37053

DOCKET# 37053
DOCUMENT# 229047

City of Fort Gaines Gas System
103 West Commerce St
Fort Gaines, GA 39851

REF: Comprehensive Inspection # JJ25-045

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Kenneth Sumpter

On July 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 JJ25-045 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. 37053 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: JJ25-045

OPERATOR: City of Fort Gaines Gas System

INVESTIGATOR: Joe Jones

INSPECTION DATE: July 21, 2025 REPORT MAILED DATE: October 6, 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 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
192.616	Public education.	AT19-046	11/18/2019
515-9-3-.08	Written Formal Notice of Violation	JS20-044	12/8/2020
40.321	What is the general confidentiality rule for drug and alcohol test information?	JS20-044	12/8/2020
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JJ25-036	6/2/2025

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
191.11	Distribution system: Annual report.	JJ25-045	7/21/2025

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

From July 21 – 24, 2025, Staff reported to the City of Fort Gaines's Gas Department to perform a comprehensive inspection of the Operator's plans, procedures, programs, records and pipeline facilities for compliance with the minimum federal safety standards and conduct Protocol 9 OQ inspections for compliance with the minimum federal safety standards. An exit interview was conducted on July 24th.

During this inspection the Operator was represented by:
Kenneth Sumpter – City Mayor
Byron Sands – Gas Superintendent
Charlotte Shivers – City Clerk
Bobby Boyd – City Services, Inc. (Consultant)

Commission Staff were represented by:
Joseph Jones – Lead Inspector
Chuck Whitaker – Pipeline Safety Inspector
Glen Murphy – Pipeline Safety Inspector

At the time of this inspection, the City of Fort Gaines was under twelve (12) previously existing probable violations; These violations were addressed during follow up inspection # JJ25-036.

During this inspection Staff reviewed the City of Fort Gaines's written operations and maintenance procedures, records, and gas facilities for compliance with 49 CFR Parts 191 and 192, and the GPSC rules for safe operation of a natural gas distribution system. Staff reviewed the City of Fort Gaines's Emergency Manual, the Operations and Maintenance Manual and the records for conducting regular operations on their gas system including the collection of field data required for the Operator's DIMP program. Staff also conducted field inspection of randomly selected pipeline field facilities located within the City of Fort Gaines and Clay County including leak repairs, pressure station and pressure recording devices, right of way conditions, atmospheric corrosion control, cathodic protection readings, odorant testing, and accessibility of critical valves.

NOTICE OF AMENDMENT

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

49 CFR §191.11 Distribution System: Annual Reports.
General. Except as provided in paragraph (b) of this section, each operator of a distribution pipeline system must submit an annual report for that system on DOT Form PHMSA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year.

STAFF COMMENTS: PHMSA comprehensive form for records.
Question #4. Annual Report Records – Have complete and accurate Annual Reports been submitted?

During this inspection (Inspection Number JJ25-045) Staff determined that the Operator is not gathering complete and accurate asset information. Staff reviewed other records which indicated that the City of Fort Gaines's Natural Gas department failed to properly report the materials in their natural gas distribution system, and leak data associated with their annual 7100 reports.

- Staff discovered two (2) locations, the middle school on Hobbs Lane and the apartment complex on Academy Street within the operator's system, where plastic mains were installed yet the 7100 annual reports do not reflect plastic mains within Fort Gaines distribution system.
- Staff also noted 4 service leaks in the "other" category scheduled for repair on the 2020 annual report; the operator was unable to provide any documentation on the type of leaks or repairs.
- Staff noted a corrosion leak discovered at 207 MLK Dr in August 2024 that was not reported on the operators' annual 7100 report.

NOTICE OF AMENDMENT: The City of Fort Gaines must review and amend their PHMSA 7100.1-1 Annual Reports for the previous 10 years for their gas distribution system to accurately reflect the information that is required to be reported. They are directed to pay particular attention to the materials in their distribution system and to their reported leak data.

LETTER OF CONCERN

1) §192.1011 What records must an operator keep?
   An operator must maintain records demonstrating compliance with the requirements of this subpart for at least 10 years. The records must include copies of superseded integrity management plans developed under this subpart.

   STAFFS CONCERN: During this inspection (Inspection Number JJ25-045) Staff determined that the Operator is not gathering complete and accurate asset information. Staff reviewed other records which indicated that the City of Fort Gaines's Natural Gas department failed to properly report the materials in their natural gas distribution system, and leak data associated with their annual 7100 reports. Staff is concerned that the Operators failure to maintain complete and accurate records for the materials in their system could result in issues with demonstrating that they have performed an accurate risk assessment as required under 49CFR, Part 192, SubPart P.

2) Under the Pipeline and Hazardous Materials Safety Administrations (PHMSA) Guidelines for States Participating in the Pipeline Safety Program, Staff are tasked with reviewing and evaluating operators' procedures and actions to address recommendations from the National Transportation Safety Board (NTSB) and PHMSA advisory bulletins. During this inspection Staff found that the City of Fort Gaines had neither a procedure in place, nor any records to demonstrate that that they had reviewed any of these items.

   STAFFS CONCERN: Staff are concerned that in the event of an accident or incident the Operator will not be able to demonstrate that they performed a review of the relevant NTSB and/or PHMSA notices, or what actions they decided to take, or not to take, in regard to the

notices. Staff recommends that the Operator develop a procedure to review these bulletins and then document what actions they took in regard to the notices.

During this inspection, Staff conducted four (4) Operator Qualification Protocol 9 field verification inspections to ensure that covered task(s) were being performed in accordance with appropriate operator-approved procedures, that the procedures were present at the job site, and that the individuals performing the observed covered task(s) were adhering to the operator-approved procedures as written.

Byron Sands - Gas Supervisor – City of Fort Gaines, performed:
— Visual Inspection Atmospheric Corrosion - Task #014, Qualification Through 10/16/2027
— Open and close Service Valves - Task #0301, Qualified Through 10/2/2027
— Measure Structure to Electrolyte – Task #0001, Qualified Through 9/26/202
— Gas Outside Leak Investigation – Task #1241. Qualified Through 10/2/2027

The Operator provided the current qualification records for the individual before he performed each of the tasks covered. During the field reviews, Staff verified that Mr. Sands was able to perform each task by following the company approved procedures and that he was able to identify the abnormal operating conditions associated with each task and explain a course of action to mitigate the condition.

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 Fort Gaines

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37053

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 Fort Gaines Gas System	)	**DOCKET NO. 37053**
	)	
	)	
	)	

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

*The Honorable Kenneth Sumpter, Mayor
City of Fort Gaines Gas System
103 West Commerce Street
Fort Gaines, GA 39851
k.sumpter@fortgainesga.org

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

Respectfully Submitted this _____ day of October 2026:

Morgan Mitchell

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