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Georgia Public Service Commission

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244 Washington Street, SW
Atlanta, GA 30334-5701

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

Docket No. 37057

DOCKET# 37057
DOCUMENT# 229075

City of Hartwell Gas System
456 East Howell Street
Hartwell, GA 30643

REF: Follow Up Inspection # DJ25-001

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Mr. Jon Herschell

On January 27, 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 DJ25-001 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. 37057 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

COMMISSIONERS

JASON SHAW , Chairman
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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: DJ25-001

OPERATOR: City of Hartwell Gas System

INVESTIGATOR: Daphne Jones

INSPECTION DATE: January 27, 2025 REPORT MAILED DATE: October 7, 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 follow-up inspection of the Operators previously existing probable violations.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.603(c)	General - The Associate Administrator or the State Agency that has submitted a current...	JB22-005	3/9/2022

3. CLEARED VIOLATIONS

Cleared on 1/27/2025

Violation	Description	Inspection#	Date
192.557	Uprating: Steel pipelines to a pressure that will produce a hoop stress less than 30 percent of SM	JB21-025	9/30/2021

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF HARTWELL GAS SYSTEM / FOLLOW-UP INSPECTION
INSPECTION NUMBER DJ25-001 / DOCKET NUMBER 37057

From January 27-30, 2025, Staff started an inspection with the City of Hartwell to perform a follow-up inspection of the Gas System's previously existing probable violations via email. Staff collected the required documents from the Operator to clear existing violations.

On February 4, 2025, Commission Staff reported to the City of Hartwell to complete the follow-up inspection of the Gas System's previously existing probable violations for compliance with the minimum federal standards in 49CFR §192, Subpart N. An exit meeting was performed on February 6, 2025.

During this Inspection, the Operator was represented by:
Audie Laviolette – Gas Director
Steve Sayer – Gas Superintendent
Chad Lathan – Asst. Gas Superintendent
Adam Chastain – Gas Supervisor
Jesse Mize – Gas Supervisor
Bruce Bagnasco PE – MGAG/SRCS (Consultant)

Commission Staff were represented by:
Daphne Jones – Lead Inspector
Daniel Clemmons – Pipeline Safety Inspector

At the time of this inspection the City of Hartwell gas system was under two (2) previously existing probable violations. Staff reviewed these probable violations with the Operator and determined that:

PROBABLE VIOLATION CLEARED

1. In regard to the Probable Violation of §192.557 which was cited in Inspection Number JB21-025; in that inspection Staff stated:

   "STAFFS COMMENTS: Staff's review of the uprating materials provided by the City of Hartwell indicate deficiencies with the Operators uprating process for this facility. These deficiencies include:

   1) The Operator could not demonstrate that after each incremental increase, the pressure was held constant while the entire segment of the pipeline that is affected is checked for leaks.

   2) The uprating procedure indicates that the Operator reviewed "contract documents" for the original pipeline.
      a. Staff is concerned that a contract document fails to actually demonstrate how this facility was constructed, inspected and tested. The procedures fails to indicate if construction records were available or reviewed.

   3) The uprating procedure indicates that the Operator only reviewed O&M records for the period of CY's 2015-2020. The plan does not address operation and maintenance history for the CY 1966 to 2015 time frame.
      a. Staff's review of annual report data for the period of 1970 to 1979 indicates that Hartwell's natural gas system reported a total of 509 leaks. 31 leaks were reported as corrosion; 55 leaks were reported as construction defects; 50 leaks were reported as material failures.

b. *Staff notes that cathodic protection records should be available for review for all tests conducted under §192.465 for the life of the pipeline.*

4) *The uprating procedures indicates that Hartwell's 165psig system includes 20.77 miles of 6-inch diameter gas main.*
   a. *The Operators 2020 PHMSA 7100 annual report indicates that Hartwell only has 12.6 miles of over 4-inch thru 8-inch pipe. This is a discrepancy of 5.21 miles.*

5) *The uprating procedures indicates that Hartwell's 6-inch diameter gas main "was constructed as follows: 7.09 miles in 1966."*
   a. *The Operators 2020 PHMSA 7100 annual report indicates that Hartwell has 0 miles of pipe installed for every decade from Pre-1940 thru 2000. It also indicates that they have 84.24 miles of main with unknown installation dates.*

6) *The Operators procedure does not indicate that they complied with the provisions of §192.553(d).*
   a. *Section 192.553(d) has a limitation on uprating. The uprated MAOP may not exceed the MAOP that would be allowed under§§ 192.619 and 192.621 for a new segment of pipeline constructed of the same materials in the same location. Thus, the operator would have to ensure that an uprated MAOP does not exceed the lowest of the four pressures determined in accordance with §192.619(a)(l), (a)(2), (a)(3), and (a)(4).*

PROBABLE VIOLATION: The City of Hartwell failed to demonstrate that their 6-inch steel pipeline facility was uprated in accordance with the requirements of 49CFR, Part 192, SubPart K. The City of Hartwell must immediately return the operating pressure of this pipeline to the original established pressure until they can comply with the requirements of SubPart K."

FIRST OPERATOR RESPONSE: In their response letter to Inspection JB21-025 dated November 18, 2021, the City of Hartwell stated:

"Upon receipt of this Report and as instructed therein, Hartwell returned the operating pressure of the pipeline in question to the original established pressure. Hartwell will reevaluate the requirements of Subpart K relative to this pipeline and determine whether to perform another uprating."

REVIEW OF OPERATOR RESPONSE: On January 5, 2022, Staff conducted a review of operator response of the Operators previously existing violations (Ref. Inspection Number JS22-001), Staff did not review this (192.557) existing violations during this inspection.

FIRST FOLLOW-UP INSPECTION: During this inspection number DJ25-001, Staff reviewed documentation that showed Hartwell returned the operating pressure of the pipeline in question back to the original established pressure of 125 psig on October 25, 2021.

- Staff reviewed Regulator Station inspection report from CY2020 that documented the original 125 psig operating pressure.
- Staff reviewed the Uprating record from February 4, 2021, which documented the increased pressure to 165 psig operating pressure.
- Staff reviewed the updated Regulator Station report from CY2021 which showed where the Operator returned the original established pressure back to 125 psig on October 25, 2021.

Staff determined that this probable violation could be cleared at this time.

2. In regard to the Probable Violation of 49CFR, §192.603(c) which was cited in Inspection Number JB22-005; in that inspection Staff stated:

STAFFS COMMENTS: The Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020 was signed on December 27, 2020. This statute contains a self-executing mandate requiring operators to update their inspection and maintenance plans to address eliminating hazardous leaks and minimizing releases of natural gas (including intentional venting during normal operations) from their pipeline facilities. Operators must also revise their plans to address the replacement or remediation of pipeline facilities that are known to leak based on their material, design, or past operating and maintenance history.

Section 114 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020, Public Law No. 116-260 (Act) requires operators, by December 27, 2021, to update the inspection and maintenance plan required under section 60108(a) to address the elements described in the amendments to that section outlined below:

- *Section 60108(a)(2)(D) - the extent to which the plan will contribute to — (i) public safety; (ii) eliminating hazardous leaks and minimizing releases of natural gas from pipeline facilities; and (iii) the protection of the environment; and*

- *Section 60108(a)(2)(E) - the extent to which the plan addresses the replacement or remediation of pipelines that are known to leak based on the material (including cast iron, unprotected steel, wrought iron, and historic plastics with known issues), design, or past operating and maintenance history of the pipeline.*

In Advisory Bulletin ABD-2021-01, issued on June 4, 2021, PHMSA stated that operators were to consider the following as they updated their plans to comply with section 114 of the PIPES Act of 2020: O&M plans must be detailed to address the elimination of hazardous leaks and minimization of releases of natural gas from the operators' pipeline facilities; meaning pipeline operators must update their plans to minimize, among other things, fugitive emissions and vented emissions from pipeline facilities. PHMSA also advised in this bulletin that state inspectors would evaluate the steps taken to prevent and mitigate both unintentional, fugitive emissions as well as intentional, vented emissions.

Pursuant to section 60108(a)(2) and §192.603(c), our review of your inspection and maintenance procedures indicates the procedures are deficient. Specifically, we have identified the following item which need amendment:

1. *Inspection Question 7. Leaks & Releases - Investigation of Unanticipated Vented Releases Do procedures provide for investigation of any unanticipated vented releases of natural gas, and if so, what are the associated actions?*

   OBSERVED DEFICIENCY: The process for unanticipated vented releases from relief valves is not addressed.

REQUIRED AMENDMENT: The Operator must amend their procedures to include procedures for investigation of any unanticipated vented releases of natural gas

2. *Inspection Question #9. Leaks & Releases - Detecting Leaks*
   Do procedures include instructions for personnel to detect leaks to help further reduce emission in stations and along the right of way?

   OBSERVED DEFICIENCY: The Operators plan does not identify any inspection of facilities beyond the minimums required under Part 192.

   REQUIRED AMENDMENT: The Operator must amend their procedures to include instructions for personnel to detect leaks to help further reduce emission in stations and along the right of way.

3. *Inspection Question #10. Leak Mitigation & Repair*
   Do procedures define a process to identify, classify, mitigate and repair leaks?

   OBSERVED DEFICIENCY: Operator leaks are classified, and identified by the Commission rules. Operator needs to add their plan for analysis and repair of all leaks, not just hazardous leaks.

   REQUIRED ADMENDMENT: The Operator must amend their procedures to define a process to identify, classify, mitigate and repair all leaks, not just hazardous leaks.

4. *Inspection Question #13. Regulator Stations – Configuration*
   Do maintenance or operational procedures contain measures for identifying potential configuration changes that would reduce natural gas releases from regulators?

   OBSERVED DEFICIENCY: The Operators plan addresses future stations, but does not consider existing stations.

   REQUIRED AMENDMENT: The Operator must amend their procedures to contain measures for identifying potential configuration changes that would reduce natural gas releases from regulators.

5. *Inspection Question #14. Testing - Relief Valves*
   Do relief valve testing procedures include measures to minimize natural gas releases?

   OBSERVED DEFICIENCY: The Operators plan calls for using inert gas "if the facilities and situation allow for testing with air or inert gas, to mitigate the release of methane into the atmosphere." However, as identified under Question #13, the Operator has not considered the reconfiguration of any existing stations to minimize releases.

   REQUIRED AMENDMENT: The Operator must amend their procedures to include measures to minimize natural gas releases from the testing of relief valves.

6. *Inspection Question #15. Flaring*
   Do procedures for flaring from pipeline facilities for transporting natural gas include measures for minimization of natural gas emissions?

OBSERVED DEFICIENCY: Not addressed in the Operators plan.

REQUIRED AMENDMENT: The Operator must amend their procedures to address flaring, or advise their personnel that it is not to be performed.

7. *Inspection Question #17. Leak-Prone: Leaks & Releases*
What procedures are in place to monitor for and identify pipe segments that are leak-prone, and what criteria (e.g., frequency of leak or failure events) are specified for determining a pipeline segment is leak-prone?

OBSERVED DEFICIENCY: The Operators plan indicates that personnel have been trained to recognize issues and make the Gas Superintendent aware for further analysis. However, while the plan indicates that leak prone materials will be tracked through DIMP, it only establishes that the data will be evaluated for trends, and does not establish threshold's (e.g. # leaks per measure) for when action will be taken to address the leak prone segments.

REQUIRED AMENDMENT: The Operator must amend their procedures to establish when a segment of pipe will be considered to be leak-prone."

FIRST FOLLOW-UP INSPECTION: Subsequent to this inspection (DJ25-001), On June 18, 2025, PHMSA published a notice to rescind an advisory bulletin and related statements of policy and applicability concerning the requirements in section 114 of the "Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020." (Ref: https://www.federalregister.gov/d/2025-11180).

Based on this guidance this enforcement action has been cleared under Inspection Number JB25-010, which had not been delivered to the Operator at the time this inspection was processed.

ITEM OF CONCERN

§192.557 Uprating: Steel pipelines to a pressure that will produce a hoop stress less than 30 percent of SMYS: plastic, cast iron, and ductile iron pipelines.

(b) Before increasing operating pressure above the previously established maximum allowable operating pressure, the operator shall:
(1) Review the design, operating, and maintenance history of the segment of pipeline;
(2) Make a leakage survey (if it has been more than 1 year since the last survey) and repair any leaks that are found, except that a leak determined not to be potentially hazardous need not be repaired, if it is monitored during the pressure increase and it does not become potentially hazardous;
(3) Make any repairs, replacements, or alterations in the segment of pipeline that are necessary for safe operation at the increased pressure;
(4) Reinforce or anchor offsets, bends and dead ends in pipe joined by compression couplings or bell and spigot joints to prevent failure of the pipe joint, if the offset, bend, or dead end is exposed in an excavation;
(5) Isolate the segment of pipeline in which the pressure is to be increased from any adjacent segment that will continue to be operated at a lower pressure; and,
(6) If the pressure in main or service lines, or both, is to be higher than the pressure delivered to the customer, install a service regulator on each service line and test each regulator to determine that it is functioning. Pressure may be increased as necessary to test each regulator, after a regulator has been installed on each pipeline subject to the increased pressure.

STAFF CONCERN: In their response letter to Inspection JB21-025 dated November 18, 2021, the City of Hartwell stated:

> *"Upon receipt of this Report and as instructed therein, Hartwell returned the operating pressure of the pipeline in question to the original established pressure. Hartwell will reevaluate the requirements of Subpart K relative to this pipeline and determine whether to perform another uprating."*

Staff is aware that the City of Hartwell still desires to increase the operating pressure of this line in year 2025, however, Staff is concerned that there are still issues that would have to be addressed before this pipeline can be uprated in accordance with the provisions of 49CFR, Subpart K. Staff requests that the Operator contact the Director of pipeline safety to schedule a review of any proposed uprating prior to performing it. Alternatively, if Hartwell disagrees with Staff and believes that this line can be operated safely without fully complying with the requirements of 49CFR, Subpart K, Staff suggests that they request a special permit under the provisions of 49CFR, §190.341.

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 Hartwell

Docket Number: 37057

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 Hartwell Gas System	)	**DOCKET NO. 37057**
	)	
	)	
	)	

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

*Jon Herschell, City Manager
City of Hartwell Gas System
456 East Howell Street
Hartwell, GA 30643
jherschell@hartcom.net

*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