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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. 37075

City of Pelham Gas System
108 Hand Avenue
Pelham, GA 31779

DOCKET# 37075
DOCUMENT# 229294

REF: Comprehensive Inspection # JJ25-016

☑ Certified Mail ☐ Regular Mail ☐ Email

Attention: Mr. Christian J. Drake

On February 17, 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 JJ25-016 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. 37075 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 by mc

Michelle L. Thebert
Director, Office of Pipeline Safety/Facilities Protection

COMMISSIONERS

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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JJ25-016

OPERATOR: City of Pelham Natural Gas System

INVESTIGATOR: Joe Jones

INSPECTION DATE: February 17, 2025 REPORT MAILED DATE: October 26, 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

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF PELHAM / COMPREHENSIVE INSPECTION
INSPECTION NUMBER JJ25-016 / DOCKET NUMBER 37075

From February 17th – 20th, Staff reported to the City of Pelham'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. Staff conducted an exit interview with Pelham's City Manager on February 20, 2025.

During this inspection the Operator was represented by:
Christian Drake – City Manager
Lamar Adams – Gas Superintendent
Eddie Harp - Harp & Associates (Consultant)
Perter Schultz – Harp & Associates (Consultant)
Kyle Adams - Harp & Associates (Odorant Technician)

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

At the time of this inspection, the City of Pelham was under no previously existing probable violations. However, the City of Pelham is under a Consent Agreement referenced in inspection # DJ22-006 but was unable to provide the necessary documentation to address the Consent Agreement.

During this inspection Staff reviewed the City of Pelham'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 Pelham'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 Pelham and Mitchell 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 PROBABLE VIOLATION

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

1) CODE REQUIREMENT: §192.16 Customer notification
   (d) Each operator must make the following records available for inspection by the Administrator or a State agency participating under 49 U.S.C. 60105 or 60106:
   (2) Evidence that notices have been sent to customers within the previous 3 years.

   STAFF COMMENTS: PHMSA comprehensive form for records.
   Question #6. Procedures / Records / Field Observation – Do records indicate the customer notification process satisfies the requirements of 192.16?

   Subpart A, page 18 of the operators O&M Manuel states:

   "The City of Pelham Gas Superintendent or his designee shall notify each customer no later than 90 days after the customer first receives gas at a particular location. Notification will consist of a written letter given to each gas customer, which they must sign, date and

return back to the operator within 5 business days and all documentation sent to the Gas Superintendent who will be required to maintain these as permanent records. This may be handled by Bill Stuffer's; mail-outs or hand delivery to each customer by meter readers or gas department employees. This will be handled by letters at City Hall that each customer requesting gas service will be required to sign and date before service is turned on at their location." And "The City of Pelham Gas Superintendent must maintain in his office on a permanent basis, a copy of the notice currently in use and evidence that notices have been sent to customers within the previous three years."

Staff requested documentation verifying the delivery of customer notifications and the Operator could only provide notifications from one-year - 2016.

PROBABLE VIOLATION: The City of Pelham's Natural Gas Department could not demonstrate that they have delivered customer notifications as required by §192.16 and Subpart A page 18 of their O&M Manuel.

2) 49 CFR 192.517 Records.
(b) Each operator must maintain a record of each test required by §§192.509, 192.511, and 192.513 for at least 5 years.

STAFF COMMENTS: PHMSA comprehensive form for records.
Question #5. Procedures / Records / Field Observations – Do records indicate that pressure testing is conducted in accordance with 192.513?

Subpart J, page 98 of the Operators O&M Procedures manual states that: "The City of Pelham's Gas Superintendent, or his designee, shall keep for the useful life of its gas system, a record of each pressure test performed."

During this inspection Staff reviewed work orders for new service lines installed on 12/28/2023 (260 Tennyson St.) and 1/4/2024 (410 Mize St). No documented pressure tests could be provided.

PROBABLE VIOLATION: The City of Pelham's Natural Gas department failed to make and retain records for their pressure tests as required by §192.517(b) and their O&M Procedures.

3) 49 CFR, §192.605 – Procedural manual for operations, maintenance, and emergencies.
(b) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.
(8) Periodically reviewing the work done by operator personnel to determine the effectiveness, and adequacy of the procedures used in normal operation and maintenance and modifying the procedures when deficiencies are found.

STAFF COMMENTS: PHMSA comprehensive form for records.
Question #3. Normal Operations and Maintenance Procedures – Review – Do records indicate periodic review of the work done by operator personnel to determine the effectiveness, and adequacy of the processes used in normal operations and maintenance and modifying the process when deficiencies are found?

In subpart J page 92 of the operators O&M Manuel it states, 'The Gas Superintendent will review and sign-off on all work orders after ensuring all required information is present." And on page 94 "The Gas Superintendent will review and sign-off on all distribution work orders to verify all workorders and information is complete."

During the records review portion of this inspection Staff found work orders that were completed by the contractor and showed no indication of the Operators Gas Superintendent reviewing the order to determine the adequacy of the work being performed by the contractor.

PROBABLE VIOLATION: The Operator failed to periodically review work orders done by their contractor to determine the effectiveness and adequacy of the processes used in normal operations and maintenance.

LETTER OF CONCERN

1) NTSB Recommendation Review – Question 1
Does the operator have a procedure in place for reviewing NTSB Recommendations?

2) NTSB Recommendation Review – Question 2
Do records verify that the operator conducts reviews of NTSB Recommendations and implements appropriate actions?

Under the Pipeline and Hazardous Materials Safety Administration (PHMSA) Guidelines for States Participating in the Pipeline Safety Program, Staff are responsible for reviewing and evaluating operators' procedures and actions in response to recommendations issued by the National Transportation Safety Board (NTSB) and PHMSA advisory bulletins.

During this inspection, Staff found that the City of Pelham does not have a documented procedure in place for reviewing NTSB or PHMSA recommendations. Additionally, no records were provided to demonstrate that such reviews have been conducted or that any resulting actions were taken.

STAFF'S CONCERN: Staff is concerned that, in the event of an incident or accident, the Operator may be unable to demonstrate that it has reviewed relevant NTSB and/or PHMSA notices or to show what actions were taken—or not taken—in response to those notices. Staff recommends that the Operator develop and implement a formal procedure for reviewing NTSB and PHMSA bulletins. This procedure should include documentation of the review process and any actions taken as a result of the recommendations.

During this inspection, Staff conducted three (3) Operator Qualification Protocol 9 field verification inspections to ensure that covered tasks 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.

Lamar Adams, Gas Superintendent, performed:
- Task #1291 – Locate Underground Pipelines, qualified 2/27/2024 thru 2/26/2025.
- Task #0101 – Inspect Rectifier and Obtain Readings, qualified 7/20/2022 thru 7/19/2027
- Task #0681 – Joining of Plastic Pipe Stab Fittings, qualified 3/1/2024 thru 2/28/2025.

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. Adams 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.

PROPOSED CIVIL PENALTY

Under Commission Rule 515-9-1.01, by virtue of the authority vested in the Commission by law and pursuant to orders issued by the Commission on May 4, 1967, July 6, 1967, April 23, 1968, and October 29, 1970, all Rules and Regulations prescribed by the United States Department of Transportation applicable to the "Transportation of Natural and Other Gas by Pipeline: Minimum Safety Standards" (C.F.R. 49, Parts 191 and 192) are by this Rule made the Rules and Regulations of the Georgia Public Service Commission for the safe installation and operation of all natural gas transmission and distribution facilities by companies subject to the jurisdiction of the Commission within this State.

Under Commission Rule 515-9-3-.08 (Written Formal Notice of Violation), the Commission may propose a civil penalty in conjunction with this notice of probable violation. Further, the City of Pelham is subject to civil penalties under O.C.G.A. § 46-2-91(b) which states that: Any operator which violates any rule or regulation of the commission prescribed pursuant to subsection (i) of Code Section 46-2-20, or which fails, neglects, or refuses to comply with any order after notice thereof, shall be liable to a penalty not to exceed the maximum penalties provided for in 49 C.F.R. Section 190.223.

Staff has reviewed the circumstances surrounding the probable violations cited in this report and has recommended the civil penalty listed below. Please note that this recommended amount is less than the amount authorized by Georgia law.

Item #	Code / Rule	Description	Proposed Penalty
1	§192.616	Customer Notification	$2,500.00
TOTAL PROPOSED PENALTY			$2,500.00

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 Pelham

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37075

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
☐ Warning Letter	☐ Yes ☐ No
☐ Letter of Concern	☐ Yes ☐ No
☐ Observed Issue	☐ Yes ☐ No
☐ Proposed Civil Penalty	☐ Yes ☐ No

$_____
Proposed Penalty for this violation

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 Pelham Natural Gas System	)	**DOCKET NO. 37075**
	)	
	)	
	)	

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

* Christian J. Drake, City Manager
City of Pelham Natural Gas System
108 Hand Avenue
Pelham, GA 31779
cdrake@cityofpelhamga.com

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

Respectfully Submitted this _____ day of November 2026:

Morgan Mitchell

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