

# Tennessee Public Utility Commission



## Title VI

# Compliance Report and Implementation Plan FY 2021-2022

## TABLE OF CONTENTS

Table of Contents .....	2
Overview of the Tennessee Public Utility Commission .....	4
Responsible Officials .....	5
Definitions.....	6
Non-Discrimination Policy.....	7
Organization of the Civil Rights Office .....	9
Discriminatory Practices .....	10
Federal Programs or Activities.....	12
Gas Pipeline Safety .....	12
Underground Utilities Damage Prevention.....	13
TPUC’s Policy of Non-Discrimination in Other Programs .....	14
Data Collection and Analysis.....	16
Tennessee Public Utility Commission Policy - Limited English Proficiency .....	18
Complaint Procedures.....	22
Title VI Training Plan .....	23
Sub-Recipient Monitoring.....	24
Public Notice and Outreach.....	25
Compliance Reporting.....	26
Evaluation Procedures.....	27

**Appendices:** Attachment A – Organizational Chart of Tennessee Public Utility Commission  
Attachment B – FFA: Pipeline Safety 2021 Natural Gas Certification  
Attachment C – FFA – Underground Utility Damage Prevention  
Attachment D – LEP Policy Staff memo  
Attachment E – Complaint Form  
Attachment F – Complaint Log  
Attachment G – FY21-22 TPUC Title VI Training Questionnaire  
Attachment H – LEP Call Log document

**OVERVIEW:**  
**TENNESSEE PUBLIC UTILITY COMMISSION**

The mission of the Tennessee Public Utility Commission is to provide regulatory oversight of Tennessee's privately held public utility companies. The Commission also has the authority to enforce state and federal safety requirements for Tennessee's intrastate gas pipelines and all natural gas distribution systems within the state, including private systems, utility districts, municipalities, and master meters.

Leadership of the Commission is appointed by the Governor, Lt. Governor and Speaker of the House and is comprised of seven Commissioners and an Executive Director. Commissioner Herbert Hillard serves as agency Chair with Commissioner David Jones as Vice Chairman, along with Commissioners Clay Good, John Hie, Robin Bennett, Kenneth Hill, and David Crowell. Additionally, Mr. Earl Taylor serves as the Commission's Executive Director as the appointee of the Governor, Lt. Governor, and Speaker of the House. An organizational chart of the agency is included as Attachment A.

The non-discrimination policy of the Commission states there shall be no discrimination on the basis of race, color, age, national origin, religion, disability, creed, or sex. The leadership of the Commission, by example and exercise of their authority, will continue to establish an atmosphere free of discrimination on the basis of religion, national origin, disability, sex, age, race, creed, or color.

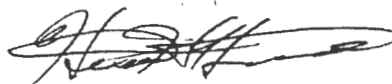
## RESPONSIBLE OFFICIALS

Responsibility for the Commission's implementation, coordination, and monitoring of Title VI of the Civil Rights Act of 1964 will rest with the Chairman's office. The Chairman's office will be responsible for appointing a member of the staff as the Title VI Coordinator and delegating all authority necessary to ensure implementation and compliance.

Contact information: Tennessee Public Utility Commission, 502 Deaderick Street, 4<sup>th</sup> floor, Nashville, TN 37243

*Greg Mitchell*

Greg Mitchell, Title VI Coordinator  
[Greg.Mitchell@tn.gov](mailto:Greg.Mitchell@tn.gov)



Herbert Hillard, Chairman  
[Herbert.Hillard@tn.gov](mailto:Herbert.Hillard@tn.gov)

## DEFINITIONS

<b>Cap-Tel:</b>	Captioned Telephone
<b>Complainant:</b>	A person, group, or company that makes a complaint, as in a legal action.
<b>Direct Sale:</b>	A pipeline that transports gas to a large volume customer such as a factory or power plant. This pipeline is upstream from a distribution center or directly off of a transmission line.
<b>GPSD:</b>	Gas Pipeline Safety Division
<b>Intrastate Pipeline:</b>	An inter-connected system of pipes that run within the specified boundaries of a state.
<b>LEP:</b>	Limited English Proficiency
<b>Lifeline:</b>	An assistance program that pays for a portion of a consumer's telephone bill.
<b>Master Meter:</b>	A pipeline system for distributing gas within, but not limited to, a definable area, such as a mobile home park, housing project, or apartment complex, where the operator purchases metered gas from an outside source for resale through a gas distribution pipeline system. The gas distribution pipeline system supplies the ultimate consumer who either purchases the gas directly through a meter or by other means, such as by rents.
<b>Municipal System:</b>	A utility system operated by a city or county government.
<b>PHMSA:</b>	Pipeline and Hazardous Material Safety Administration
<b>Private System:</b>	A utility system operated by a group of private investors or a corporation.
<b>TRC:</b>	Tennessee Relay Center
<b>USDOT:</b>	United State Department of Transportation

## NON-DISCRIMINATION POLICY

The Tennessee Public Utility Commission affirms its intention to comply with Title VI of the Civil Rights Act of 1964, which states that:

*No person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.*

Further, the Tennessee Public Utility Commission shall make available to the Tennessee Human Rights Commission or any other recipients where applicable, its compliance report to be reviewed by the aforementioned bodies upon request.

## DISCRIMINATORY PRACTICES

### Statement of Title VI Policy

Therefore, the Tennessee Public Utility Commission acknowledges that Title VI of the Civil Rights Act of 1964:

- 1) Prohibits entities from denying services or benefits based on race, color, or national origin.
- 2) Prohibits providing services or benefits to some individuals that are different or inferior (either in quantity or quality) to those provided to others.
- 3) Prohibits segregation or separate treatment in any manner related to receiving services or benefits.
- 4) Prohibits requiring different standards or conditions as prerequisites for serving individuals.
- 5) Prohibits methods of administration which directly, or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination practices.
- 6) Encourages the participation of minorities as members of planning or advisory bodies for programs receiving federal funds.
- 7) Prohibits discriminatory activity in a facility built in whole or in part with federal funds.
- 8) Requires information and services to be provided in languages other than in English when significant numbers of beneficiaries are of limited English speaking ability.
- 9) Requires notification to the eligible population about applicable programs.
- 10) Prohibits locating facilities in any way that would limit or impede access to a federally funded service or benefit.
- 11) Requires assurance of nondiscrimination in purchasing.

The Commission upholds the principles of Title VI in its activities and there have been no situations in which such discriminatory practices have occurred in relation to the Commission's activities. The Commission shall make available any compliance report to be reviewed by the THRC upon request.



## **ORGANIZATION OF THE CIVIL RIGHTS OFFICE TITLE VI COORDINATOR**

The Title VI coordinator for the Commission is Greg Mitchell. The coordinator is responsible for resolving findings of non-compliance, resolutions of complaints, and assisting in any other areas of support needed. The Title VI coordinator has the primary responsibility for policy development, oversight, coordination of training activities, and the resolution of all Title VI compliance matters.

In addition to his Title VI duties, Mr. Mitchell serves in the Office of Communications & External Affairs Division within the Commission. Mr. Mitchell can be reached at (615) 770-6883 or by email at [greg.mitchell@tn.gov](mailto:greg.mitchell@tn.gov).

### **Duties of the Title VI coordinator includes:**

- 1) Preparing the Commission's Title VI implementation plan and plan updates.
- 2) Establishing an appropriate Limited English Proficiency (LEP) policy.
- 3) Verifying that all aspects of the Title VI plan are being implemented.
- 4) Reviewing complaint reports and other documentation to determine if additional compliance efforts are needed.
- 5) Consulting with the Commission's Directors to resolve complaints and findings of non-compliance with Title VI.
- 6) Serving as a liaison with other state personnel on Title VI issues and concerns.
- 7) Functioning as an information resource person to help the Commission comply with applicable statutes and regulations.

## DISCRIMINATORY PRACTICES

### Statement of Title VI Policy

The Tennessee Public Utility Commission affirms its intention to comply with Title VI of the Civil Rights Act of 1964, which states that:

*No person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.*

Therefore, the Tennessee Public Utility Commission acknowledges that Title VI of the Civil Rights Act of 1964:

- Prohibits entities from denying services or benefits based on race, color, or national origin.
- Prohibits providing services or benefits to some individuals that are different or inferior (either in quantity or quality) to those provided to others.
- Prohibits segregation or separate treatment in any manner related to receiving services or benefits.
- Prohibits requiring different standards or conditions as prerequisites for serving individuals.
- Prohibits methods of administration which directly, or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination practices.
- Encourages the participation of minorities as members of planning or advisory bodies for programs receiving federal funds.
- Prohibits discriminatory activity in a facility built in whole or in part with federal funds.
- Requires information and services to be provided in languages other than in English when significant numbers of beneficiaries are of limited English speaking ability.
- Requires notification to the eligible population about applicable programs.
- Prohibits locating facilities in any way that would limit or impede access to a federally funded service or benefit.
- Requires assurance of nondiscrimination in purchasing.

The Commission upholds the principles of Title VI in its activities and there have been no situations in which such discriminatory practices have occurred in relation to the Commission's activities.

## FEDERAL PROGRAMS OR ACTIVITIES

### Gas Pipeline Safety Inspections

The Gas Pipeline Safety Division (“GPSD”) of the Commission utilizes a grant from the United States Department of Transportation (“USDOT”) Pipeline and Hazardous Materials Safety Administration (“PHMSA”) for the purpose of performing safety inspections of Tennessee’s natural gas pipelines and natural gas distribution operators. The GPSD monitors compliance with federal and state safety regulations pertaining to the operation and maintenance requirements of natural gas transmission pipes, valves, and other hardware, as well as drug testing standards for all natural gas distribution systems. The grant is established under, 49 U.S.C. Section 60101, *et seq.* Federal funding allocated for Commission gas pipeline inspections during the past year amounted to approximately \$757,537.

The Commission has safety jurisdiction over operators including private, municipal systems and utility districts, and over gas distribution companies including two liquefied natural gas facilities. In the past fiscal year, the GSPD performed over 500 inspections on gas pipeline operators under its mandate.

Below is an Excel breakdown by operator type of the systems subject to safety inspections performed by the Commission.

<b>Federal Program: TPUC Gas Pipeline Inspections FY21-22</b>	
Operator Type	Number Represented
Municipal Systems	69
Master Meter Operators	24
Utility Districts	24
Intrastate Transmission	15
Private Systems	6
Liquefied Natural Gas (LNG)	2
Gathering Natural Gas Line	1
<b>Total</b>	<b>141</b>
<b>Federal Funding Allocated for Inspections:</b>	<b>\$757,537</b>

\*The 2021 Natural Gas certification is included as **Attachment B**.

## Underground Utility Damage Prevention

The Tennessee Public Utility Commission utilizes a grant from the United States Department of Transportation (USDOT) Pipeline and Hazardous Materials Safety Administration (PHMSA). The purpose of the federal grant is to support the prevention of damage to Tennessee underground pipelines.

The Commission received two grants from PHMSA. The first is in the amount of \$88,894 and the second is in the amount of \$30,815. The combined total is \$119,709. The documents referencing the federal grant are under **Attachment C**.

FFA Amount	FFA Agency
\$757,537	(PHMSA) Pipeline and Hazardous Materials Safety Administration
\$88,894	(PHMSA) Pipeline and Hazardous Materials Safety Administration
\$30,815	(PHMSA) Pipeline and Hazardous Materials Safety Administration
	<b>FFA Purpose</b>
\$757,537	To ensure compliance with federal and state safety regulations pertaining to the operation and maintenance of underground natural gas transmission pipes, valves, and other hardware across Tennessee.
\$88,894	Designated for the prevention of damage to underground pipelines.
\$30,815	Pipeline Safety One Call grant. One Call is a national 811 dialing service that locates underground utilities.
	<b>No equipment, federal personnel, land, or loans are associated with the FFA grants</b>

## **THE COMMISSION'S POLICY ON NON-DISCRIMINATION IN OTHER NON-FEDERAL PROGRAMS**

The Commission receives no federal funds to support the operation of the following programs. Nevertheless the Commission has taken steps to ensure that discrimination does not occur in the operation of these programs.

### **Tennessee Relay Center**

As a service to Tennessee's deaf, deaf-blind, hard-of-hearing, and hearing and speech-impaired community, the Commission and AT&T entered into a contract in March 2012 for the provision of relay services and operation of the Tennessee Relay Center in Tennessee. Regulated by the Commission, the Tennessee Relay Service (TRC) provides free, statewide assisted telephone service to those with speech, hearing, and visual impairments by linking conversations between people who use text telephones (TTY's) or telebraille (TB) devices and people who use standard phones.

The contract embodies the Commission's policy of non-discrimination. Section D.7, assures that "no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this contract or in the employment practices of the Contractor on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination." **The Commission does not receive Federal funds to operate the TRC.**

### **Tennessee CapTel Services**

A contract for CapTel services was awarded to Hamilton Telecommunications for CapTel services. It includes the same contractual provision prohibiting discrimination on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. **The Commission does not receive Federal funds to provide CapTel Service.**

The contract embodies the Commission's policy of non-discrimination. Section D.7, assures that "no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this contract or in the employment practices of the Contractor (Sprint Corporation) on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination."

## **National Deaf Blind Equipment Distribution Program**

The National Deaf Blind Equipment Distribution Program is an additional service to our deaf and blind community. The program provides assistive devices to enhance the communication abilities for Tennessee's deaf and blind citizens. While not a federal grant, the program is a reimbursement program by the FCC to the Commission.

## **Recording of Commission hearings**

By Tennessee statute, the Commission is required to maintain a record of all Commission hearings and conferences. These services are provided through a State of Tennessee-approved court reporting service. At the request of the Commission, a qualified court reporter provides a written transcript of the Commission's hearings and conferences pursuant to all applicable rules and procedures of the Tennessee Public Utility Commission. **No federal funds are received or expended for court reporter services.**

## DATA COLLECTION AND ANALYSIS

The Commission is comprised of 51 individuals performing various professional functions. As supplied by the Commission’s Personnel Manager, a portion of the Commission’s personnel are Executive Service and a portion are Civil Service. The racial or national origin the staff consists of:

<b>Racial and National Origin of Commission Staff</b>	
Asian	2 (4%)
Black	8 (16%)
White	41 (80%)
<b>Total</b>	<b>51</b>

<b>Executive Service and Preferred Service Breakdown</b>	
Executive Service	48 (94%)
Preferred Service	3 (6%)
<b>Total</b>	<b>51</b>

<b>Racial and National Origin of Executive Service and Preferred Service Staff</b>	
Executive Service (White)	39 (77%)
Executive Service (Black)	7 (14%)
Executive Service (Asian)	2 (4%)
Preferred Service (White)	2 (4%)
Preferred Service (Black)	1 (1%)
	<b>51</b>

## TENNESSEE CENSUS DATA

According to 2020 Census, data for Tennessee shows that the five most populous incorporated places across the state are:

<b>Tennessee's Five Most Populous Incorporated Areas</b>	
Location	Population
Memphis	929,744
Nashville-Davidson	715,884
Knoxville	478,971
Chattanooga	366,207
Murfreesboro	341,486

All of Tennessee's counties saw their populations grow from the 2010 Census. The largest county in the state is Shelby, with a population of 929,744. The other counties in the top five include Davidson, with a population of 715,884; Knox, 478,971; Hamilton, 366,207; and Rutherford, 341,486. The state's racial make-up consists of:

**Total population: 6,910,840** (Source: US Census Bureau)

<b>Tennessee's Racial Breakdown</b>	
Racial Group	Population
White	4,900,246
Black/African American	1,083,772
Persons of Hispanic or Latino origin	479,187
Asian	134,302
American Indian/Alaska Natives	15,539
Native Hawaiian or Pacific Islander	3,594
Some other race alone	23,977
Two or more races	270,223



## **LIMITED ENGLISH PROFICIENCY (LEP)**

Tennessee Public Utility Commission utilizes the translation services of Avaza Language Services to assist in translating communications with persons with LEP. Historically, the languages the Commission has encountered have been Spanish and Arabic, the majority of which are Spanish.

The Tennessee Public Utility Commission's LEP Policy is outlined in **ATTACHMENT D** within the Commission's 21-22 IP Plan.

**During the fiscal year, the Commission received (25) LEP encounters. Of the encounters the Commission received, all (25) were from Spanish speaking persons.**  
**ATTACHMENT H.**

**Right to Transfer information:** the Commission does not receive visitors who are in the LEP category into its offices. All LEP encounters occur through Avaza Language Services.

**Tennessee Public Utility Commission takes the following steps to access Avaza Language Services:**

1. Upon receiving the LEP call, the LEP person is placed on hold;
2. The Tennessee Public Utility Commission staff then contacts Avaza at 615-534-3405;
3. The Tennessee Public Utility Commission staff then presses 1 for Spanish or 2 for other languages;
4. The Tennessee Public Utility Commission staff provides Avaza with our agency Access code and Client ID number;
5. Tennessee Public Utility Commission staff briefs the Avaza interpreter on the nature of the call;
6. Tennessee Public Utility Commission staff conferences the interpreter with the LEP caller;
7. Calls are concluded by communicating "end of session";
8. All LEP/Avaza encounters are provided to Tennessee Public Utility Commission staff member Mary Kraycirik for record keeping.

The Commission documents that are translated in Spanish include the Telecommunications Devices Access Program (a non-Federal program).

## **Telecommunications Devices Access Programs (TDAP)**

El Programa de Acceso a Dispositivos de Telecomunicaciones ("TDAP") se establece en el Capítulo 417 de las Actas Públicas de 1999 (el "ACT"). De conformidad con la Ley, el programa está diseñado para distribuir dispositivos de telecomunicaciones apropiados para que las personas con discapacidad puedan utilizar efectivamente el servicio telefónico básico. La Comisión de Servicios Públicos de Tennessee recibió la responsabilidad y la autoridad para implementar y administrar este programa.

Los dispositivos se emiten por orden de llegada. Sin embargo, hay ciertos calificadores que pueden permitir a las personas recibir dispositivos de forma prioritaria. Los solicitantes pueden consultar los requisitos mínimos de elegibilidad o consultar las reglas de la Comisión de Servicios Públicos de Tennessee, capítulo 1220-4-10 en TN SOS.

### **Requisitos mínimos de elegibilidad**

- Los solicitantes deben ser residentes permanentes del estado de Tennessee.
- Los solicitantes deben tener una discapacidad tal que la persona no pueda usar el teléfono de manera efectiva sin el uso de un dispositivo de asistencia.
- Solo se otorgará un dispositivo de asistencia por hogar a través del TDAP. El Coordinador del programa puede determinar que se necesitan dos dispositivos diferentes en caso de que haya otra persona en el hogar con una necesidad diferente.
- Los solicitantes deben poder usar el dispositivo o aceptar la capacitación adecuada antes de emitir un dispositivo.
- Una vez que un solicitante recibe un dispositivo, el solicitante se hace responsable de las reparaciones necesarias. Los tiempos de reparación extendidos pueden calificar al solicitante para un reemplazo prestado hasta que se completen las reparaciones. El solicitante debe coordinar con el Coordinador del programa para este acuerdo.
- El solicitante seguirá siendo responsable de toda la facturación telefónica y de cualquier elemento periférico necesario para el dispositivo, es decir, papel, baterías, etc.

### **Solicitud**

La Regla 1220-4-10 ha sido adoptada por la Autoridad y firmada por el Secretario de Estado y entrará en vigencia el 5 de febrero de 2000.

Se aceptan solicitudes. Por favor envíelo a:

## **Tennessee Public Utility Commission Title VI Limited English Proficiency (LEP) Policy**

The Tennessee Public Utility Commission is committed to ensuring that Tennessee citizens with Limited English Proficiency (LEP) are provided with the means and opportunity to participate fully in the services and information that the Commission provides. As such, we set forth the following policy directives to maintain this standard.

- The **Tennessee Public Utility Commission** will take the necessary actions and steps to ensure that persons with LEP will have an equal opportunity and purposeful access to the information and services made available by the Commission.
- The **Tennessee Public Utility Commission** will endeavor to maintain an established means of communication to persons with LEP by means of an established language translation service provider.
- The translators, interpreters and other aids needed to comply with the **Tennessee Public Utility Commission's** policy will be offered free of charge to the LEP population being served.
- Such provided services will be made available through the use of bilingual translators, available to translate from a large number of foreign languages.
- **Tennessee Public Utility Commission** staff shall be provided with translation services contact information, such as service provider information cards and informational posters, and kept current on new updates to translation services provided and new languages offered.
- The **Tennessee Public Utility Commission** will maintain a record of LEP interactions that shall be available for review by the public upon request.
- Translations of conversations with LEP persons are facilitated through Avaya Translation Services via 3-way phone conversations and are not available to the **Tennessee Public Utility Commission** at the conclusion of such calls.
- Only numeric LEP encounters are kept by the **Tennessee Public Utility Commission** and not the specific languages encountered.
- The **Tennessee Public Utility Commission** on an ongoing basis will review, assess and revise these policies with respect to serving Tennessee consumers with LEP to ensure continued compliance with the Title VI law.

- Commission staff is advised to contact the agency's Title VI coordinator, Greg Mitchell, if additional LEP resources are needed.
- Language translation will be provided through the State of Tennessee's contract service provider, Avaza Language Service Corporation, or through another State of Tennessee approved vendor of such services.
- Language Translation Service Contact information: Avaza Translation Service, 5209 Linbar Drive, Suite 603, Nashville, TN 37211.

## COMPLAINT PROCEDURES

Any person alleging discrimination based on race, color, or national origin has a right to file a complaint within 180 days of the alleged discrimination. At the complainant's discretion, the complaint can be filed with the appropriate federal agency, the Commission, or the Tennessee Human Rights Commission. **Timeline for Filing**

Any person alleging discrimination based on race, color, or national origin has a right to file a complaint within 180 days of the alleged discrimination. At the complainant's discretion, the complaint can be filed with the appropriate federal agency, the Commission, or the Tennessee Human Rights Commission. Moreover, any such complaint filed with the Tennessee Public Utility Commission is subject to review by the Tennessee Human Rights Commission (Title VI Compliance Commission) for applicability under Title VI of the Civil Rights Act of 1964. Tennessee Human Rights Commission Title VI Rule 1500-01-03-06 (1) & (2) requires the commencement of a Title VI investigation be reported to the Commission within ten days and a summary of its investigation to the Commission prior to notifying the complainant. These procedures comply with Tenn. Code Ann. § 4-21-905 (2005). These procedures comply with Tenn. Code Ann. § 4-21-905 (2005). **ATTACHMENT E**

### Receipt of Complaints

All complaints, written or verbal, are accepted. In the event that a complainant sets forth allegations verbally and refuses to reduce such allegations to writing, the person to whom the complaint is made will reduce the elements of the complaint to writing. It will not be necessary to know the identity of the complainant as long as the information is sufficient to determine the applicability of the complaint to the programs of the Commission and indicates the possibility of a violation. **ATTACHMENT F**

### Elements of a Complaint

The Commission will obtain the following information from the complainant:

- 1) Name (optional), address and telephone number.
- 2) The location and name of the entity delivering the service.
- 3) The nature of the incident that led the complainant to feel discrimination was a factor.
- 4) The basis of the complaint, i.e. race, color, or national origin.
- 5) Names, addresses, and telephone numbers of individuals who may have knowledge of the event.
- 6) The date(s) on which the alleged discriminatory event(s) occurred.

## **Complaint Resolution**

- 1) Complaints will be reviewed by the Commission's Title VI coordinator. The coordinator will determine whether the complaint will be referred to an appropriate federal agency or will be investigated by the Commission.
- 2) Complaints will be reported to the THRC within 10 days.
- 3) Complaints to be investigated by the Commission will be handled within 90 days of receipt.
- 4) A letter will be sent to acknowledge receipt of the complaint and to request a time and date the complainant can be reached by telephone to discuss the complaint.
- 5) Complainants will not be parties to the Title VI investigation and will not enjoy a status different from other persons interviewed.
- 6) A preliminary review will be conducted on all complaints to substantiate or refute the allegations.
- 7) If the preliminary review indicates that there may be a problem, then a full complaint investigation will be initiated. A letter will be sent to the complainant explaining that an investigation will be started and that the complainant's assistance will be needed in the future.
- 8) If appropriate, the Commission will coordinate with other agencies on matters involving interdepartmental issues and reviews.
- 9) If the allegations are not substantiated, a letter containing a description of the investigated allegations, the scope of the investigation, the facts learned, and a closing statement summarizing the basis on which the determination was made will be sent to the complainant. The complainant will be advised of his/her right to file a complaint with other applicable governmental entities if dissatisfied with the resolution of the complaint.
- 10) If the complaint is substantiated, a letter will be sent notifying the complainant that the complaint has been investigated and substantiated and that efforts are being made to correct the deficiency.

There were no lawsuits or litigation filed with the Commission during FY 2021-2022 on the basis of race, color, or natural origin.

## TITLE VI TRAINING

The Commission's Title VI coordinator has attended all scheduled Title VI meetings, workshops, and informational sessions that have been sponsored by the Tennessee Human Rights Commission (The agency has in previous terms attended Title VI sessions spearheaded by the Legislative Black Caucus of the Tennessee General Assembly as well as the Tennessee Urban League). The Commission's Title VI coordinator, Mr. Mitchell is committed to attending additional Title VI training opportunities, both within Tennessee and outside, as they become available.

During the fiscal year the Commission conducted its annual Title VI training for all of its employees. **The training module/questionnaire was conducted and completed by Commission staff between June 15 and June 30 of 2022 (the Commission does not employ the use of Sub-Recipients).** The training consisted of an interactive web-based method of engagement, through which staff was informed and trained on the Title VI law and reminded of the Commission's commitment to the law (See ATTACHMENT G). The training covered the critical areas of the Commission's commitment to providing its services without partiality to one's race, color or national origin and the agency's dedication to serving Tennessee's citizens with Limited English Proficiency (LEP). Staff participation and completion of the training was recorded and monitored by the Title VI coordinator to ensure that 100% involvement and completion was achieved. We are pleased to report that our goal was achieved with all staff members.

The Commission's Title VI training for fiscal year July 2022 – June 2023 will be conducted in the 2nd quarter of 2023.

## TPUC Staff Completed Title VI Training

{June 2021}



## SUB-RECIPIENT MONITORING

**Not applicable.** There are no sub-recipient relationships that exist with entities outside the Commission. **As such, the Tennessee Public Utility Commission utilizes no vendors in the inspection of Tennessee's intra-state natural gas pipelines. All such inspections are performed by the Tennessee Public Utility Commission's Gas Pipeline Safety engineers.**

Pursuant to the Commission's utilization of a federal grant from the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) to perform safety inspections of Tennessee's natural gas pipelines and natural gas distribution operators, the Commission's federal grant is narrowly directed at performing safety inspections of natural gas pipes, valves and other hardware that cross the state. .



## PUBLIC NOTICE AND OUTREACH

The Commission participates in state-wide outreach programs to inform diverse groups about the services provided by and through the agency. Notices of the programs are published on the agency's web page and on its social media platforms like Twitter, and Instagram. In addition, in previous years information has been shared on local radio stations and by public service announcements.

The following are the outreach activities the Tennessee Public Utility Commission has engaged in:

- **I Can-Connect Program for Deaf/Blind citizens:** The Tennessee Public Utility Commission partners with the Helen Keller National Center to provide information about the "I Can Connect Program." I Can Connect, also known as the Deaf-Blind distribution program - is a national effort across the United States to provide assistive communication equipment to Tennessee's deaf and blind citizens.
- **Tennessee Relay Service:** relay service is an operator assisted service that allows people who are deaf, hard of hearing, deafblind, or have a speech disorder to place calls to standard telephone users via a keyboard or assistive device. The Tennessee Public Utility Commission partners with Sprint and Hamilton Relay/CapTel to inform eligible citizens of the availability Relay service and Caption telephone equipment to Tennessee's deaf and hard of hearing population.
- **The Telecommunications Devices Access Program (TDAP):** the TDAP program is designed to distribute appropriate telecommunications devices so that persons who have a disability may effectively use basic telephone service.

The Tennessee Public Utility Commission promotes these programs to Tennessee's citizens primarily through its website and through its social media platforms such as Twitter and Instagram. In addition, the policy is posted in the agency's common area accessible to visitors and employees.

The Commission's Title VI implementation plan is available upon request to any interested groups and minority members of these groups may review the plan and provide suggestions and recommendations for future plans.

## COMPLIANCE REPORTING

Federal or state departments/agencies to which the Commission furnishes or shares Title VI compliance reports: **Not applicable.**

There exist no sub-recipient relationships with entities outside the Commission. Title VI federal compliance reporting is not applicable. There are no Federal codes or regulations promulgated pursuant to 49 U.S.C. Section 60101 regarding compliance with Title VI. However, in the application for the gas pipeline safety grant, the Commission must certify its assurance regarding non-discrimination. The only Title VI-related document produced by the USDOT related to Title VI is its LEP Guidance, which was issued December 14, 2005 in the Federal Register (Vol. 70, No. 239).

## EVALUATION PROCEDURES

As a condition of receipt of the federal grant from the United States Department of Transportation (USDOT) Pipeline and Hazardous Materials Safety Administration (PHMSA), the Commission has certified that it will comply with the requirements set forth in Title VI. As such, the Commission maintains that it will administer in a nondiscriminatory manner its statutory duties as a condition of receiving the federal funds from the grantor.

Pursuant to the federal grant, the State of Tennessee enters into a certification agreement each year with the Secretary of the Department of Transportation and accepts the responsibility for regulation of intrastate natural gas pipeline facilities. The program is administered by the United States Department of Transportation Pipeline and Hazardous Materials Safety Administration and the Tennessee Public Utility Commission is the regulating state agency. The Tennessee Public Utility Commission Gas Pipeline Safety Division enforces safety regulations in accordance with the Tennessee Code Annotated (“Tenn. Code Ann.”) § 65-2-102, the Tennessee Comprehensive Rules and Regulations (“Tenn. Comp. R. & Regs.”) 1220-4-5 and Title 49 of the Code of Federal Regulations (“CFR”) Chapter 1, Subchapter D, Parts 191, 192, 193, 195 and 199, as incorporated in the Tennessee rules by reference.

Hence, the grant received from United States Department of Transportation Pipeline and Hazardous Materials **does not have beneficiaries associated with the administration of the grant**, as the grant is utilized for the inspection of Tennessee’s 40,000 miles of distribution and transmission natural gas pipelines, in which the TPUC’s gas pipeline engineers perform annually.

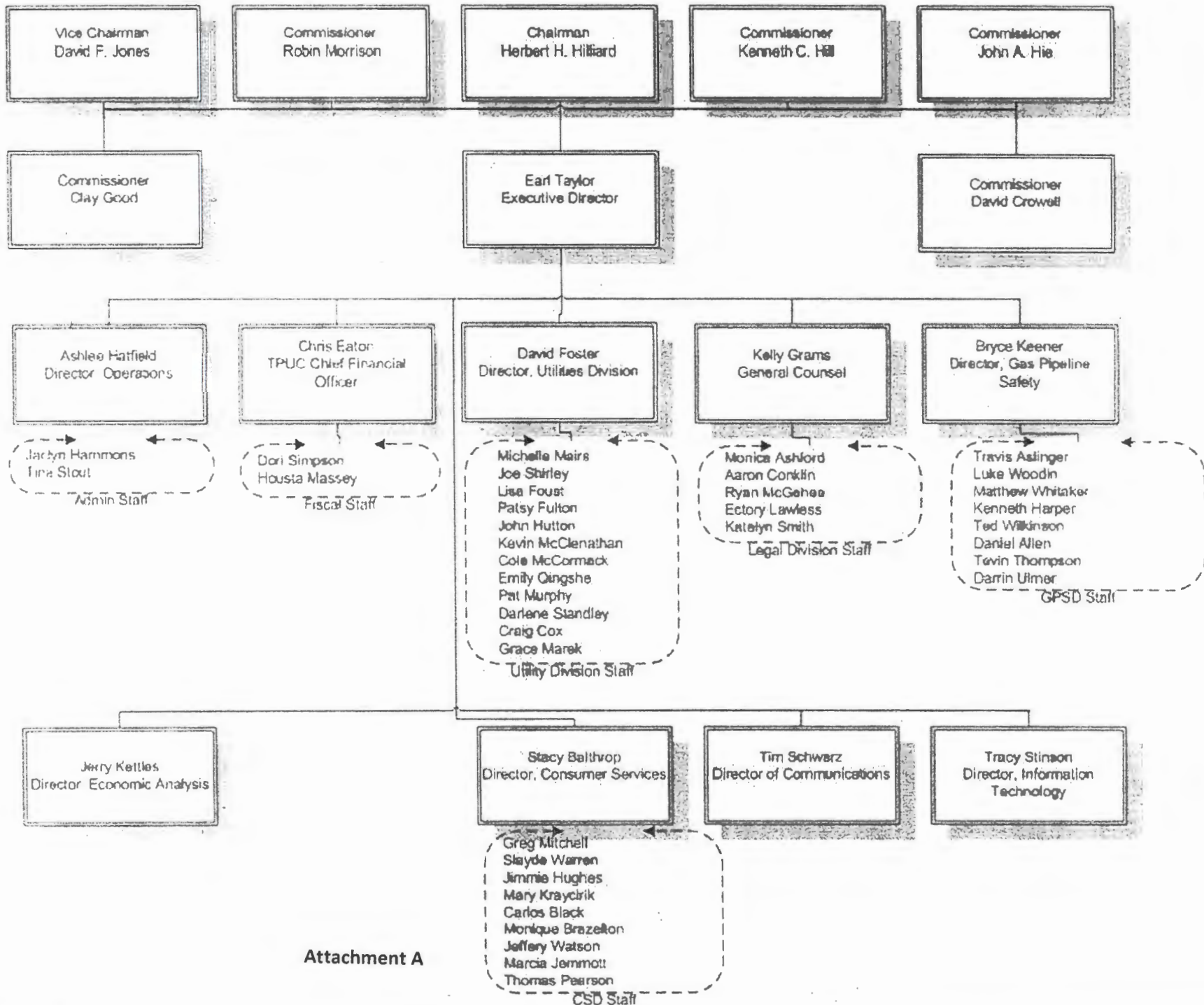
There are no Commission sub-recipients in the administration of the federal grant from the USDOT/PHMSA as all pipeline inspections are performed by the Commission’s Gas Pipeline Safety Division.

Moreover, the Commission evaluates the **Telecommunications Devices Access Program (TDAP)**, the need-based program that provides specialized devices to persons who are deaf, blind, hard of hearing, and/or vision impaired; by the number the devices distributed to persons whose disability determines need for a particular device.

**Relay Service** provides a communications link a between persons who are deaf, hard of hearing, deafblind, or have a speech disorder to place calls to standard telephone users via a keyboard or assistive device to persons without such disabilities. The service is accessed by user need as determined by the person’s particular disability.

The **I-Can-Connect** Program is a national program funded at the federal level (FCC) across the United States to provide communication equipment for Tennessee’s deaf and blind population according to the Helen Keller standards.

# Tennessee Public Utility Commission





U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue SE  
Washington DC 20590

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2137-0584. Public reporting for this collection of information is estimated to be approximately 58.5 hours per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Pipeline and Hazardous Materials Safety Administration (PHMSA), PHIP-30, 1200 New Jersey Ave SE, Washington, DC 20590.

# Pipeline Safety

## 2021 Gas Base Grant Progress Report

for

### Tennessee Public Utility Commission

**Please follow the directions listed below :**

1. Review the entire document for completeness.
2. Review and have an authorized signatory sign and date page 2.
3. Scan the signed document to your computer and email it to [Carrie.Winslow@dot.gov](mailto:Carrie.Winslow@dot.gov).



**FedSTAR Information**

Electronic Submission Date: 3/1/2022 3:25:05 PM

## 2021 Grant Payment Summary

### TENNESSEE

Grant PO Number -  
693JK32130040PGSB

#### Grant Allocation

State Estimated Program Costs	\$ 1,350,100
Original Allocation - Grant Award	\$ 727,778
Original Allocation Percentage	53.91%

#### Funding Summary

Year-End Final Costs (adjusted if necessary)*	\$ 1,205,290
Final Funding Percentage	62.85%
Total Federal Funding	\$ 757,537
State Portion of Funding	\$ 447,753

#### Payment Summary

Total Federal Funding	\$ 757,537
Mid-Year Payment Made to State	\$ -
Final Payment to State	\$ 727,778
Supplemental Payment After Reallocation (if applicable)	\$ 29,759

#### Deduction Summary - Credit Memo (if applicable)

Grant Review CY2018	\$ -
Grant Review CY2019	\$ -
Grant Review CY2020	\$ -

<b>Net Total Payments - (after deductions)</b>	<b>\$ 757,537</b>
--	-------------------

#### \*Comments

0

\*\*\*The above represent Close-Out of Grant Funding for applicable year



Pipeline and Hazardous Materials Safety Administration  
1200 New Jersey Avenue, SE  
Washington DC 20590

OFFICE OF PIPELINE SAFETY

2021 Gas Base Grant Progress Report

Office: Tennessee Public Utility Commission

Authorized Signature

Bryce Keener

Printed Name

Director, Gas Pipeline Safety

Title

Date



**PROGRESS REPORT ATTACHMENTS (GAS )**

**PHMSA Form No. PHMSA F 999-92**

**Attachment 1: State Jurisdiction and Agent Status over Facilities.**

**Attachment 2: State Field Inspection Activity**

**Attachment 3: Facilities Subject to State Safety Jurisdiction**

**Attachment 4: Pipeline Incidents**

**Attachment 5: State Compliance Actions**

**Attachment 6: State Record Maintenance and Reporting**

**Attachment 7: State Employees Directly Involved in the Pipeline Safety Program**

**Attachment 8: State Compliance with Federal Regulations**

*{there is no attachment 9}*

**Attachment 10: Performance and Damage Prevention Questions**





## Attachment 1 - Stats on Operators

### STATE JURISDICTION AND AGENT STATUS OVER GAS FACILITIES AS OF DECEMBER 31, 2021

Operator Type	State Agency Jurisdiction/ Agent Status		No. of Operators	Operators Inspected		No. of Inspection Units	Units Inspected	
	No <sup>1</sup>	Yes		#	%		#	%
<b>Distribution</b>								
Private		X/60105	6	6	100.0%	14	14	100.0%
Municipal		X/60105	69	69	100.0%	69	69	100.0%
Master Meter		X/60105	24	24	100.0%	26	26	100.0%
LPG		X/60105	0	0	N/A	0	0	N/A
Other		X/60105	24	24	100.0%	28	28	100.0%
<b>Transmission</b>								
Intrastate		X/60105	14	14	100.0%	15	15	100.0%
Interstate	F		0	0	N/A	0	0	N/A
<b>LNG</b>								
Intrastate		X/60105	2	2	100.0%	2	2	100.0%
Interstate	F		0	0	N/A	0	0	N/A
<b>Other</b>								
Gathering Lines		X/60105	2	2	100.0%	2	2	100.0%
Offshore Facilities	A		0	0	N/A	0	0	N/A
<b>Total</b>			<b>141</b>	<b>141</b>	<b>100.0%</b>	<b>156</b>	<b>156</b>	<b>100.0%</b>

<sup>1</sup>Codes: A - None in state and does not have jurisdiction;

B - State does not have jurisdictional authority (Provide current status or action being taken to obtain authority in notes section below)

F - No, State is currently not an interstate agent.

X/60105P = Yes, I have Section 60105 (Certification) over some of the operator type (meaning: I have 60105 authority over some, but not all of this operator type and do not have a 60106 agreement with PHMSA to inspect them). These operators are identified in the notes below.

X/IA - Yes, I have Interstate Agent jurisdiction over this type of operator

Distribution "Other" - ie Co-ops, Public Utility Districts, etc.

States should explain any special circumstances

**General Instructions** - All above facilities should only include facilities as defined by federal pipeline regulations and should not include extended jurisdiction by state regulation.

**Attachment 1 Notes:**

Added 1 transmission line (Wacker) - due to filing of SRCR, unit was not fully inspected but SRCR was followed up on

with Onsite visit.

Reclassified 1 Transmission to Type A Gathering Line - Southern Co

Added Inspection unit for Diversified LLC due to purchase of Atlas Energy



## Attachment 2 - State Inspection Activity

### TOTAL STATE FIELD INSPECTION ACTIVITY AS OF DECEMBER 31, 2021

Operator Type	Standard Comprehensive	Design, Testing and Construction	On-Site Operator Training	Integrity Management	Operator Qualification	Investigating Incidents or Accidents	Damage Prevention Activities	Compliance Follow-up	Total
<b>Distribution</b>									
Private	59.000	9.000	0.000	0.000	10.000	0.000	1.000	0.000	79.000
Municipal	288.000	91.000	9.000	0.000	82.000	2.000	9.000	0.000	481.000
Master Meter	86.000	0.000	0.000	0.000	23.000	0.000	0.000	0.000	109.000
LPG	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Other	110.000	44.000	1.000	0.000	31.000	0.000	5.000	0.000	191.000
<b>Transmission</b>									
Intrastate	62.000	0.000	0.000	0.000	10.000	0.000	0.000	0.000	72.000
Interstate	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>LNG</b>									
Intrastate	8.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	8.000
Interstate	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>Other</b>									
Gathering Lines	9.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	9.000
Offshore Facilities	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>Total</b>	<b>622.000</b>	<b>144.000</b>	<b>10.000</b>	<b>0.000</b>	<b>156.000</b>	<b>2.000</b>	<b>15.000</b>	<b>0.000</b>	<b>949.000</b>

#### Drug and Alcohol

Total Count of Drug and Alcohol Inspections	0
---	---

#### Attachment 2 Notes

Construction Inspections did not reach 20% due to loss of inspector. Down 1 inspector from June 23, 2021 to October 18, 2021.

All Drug and Alcohol inspections will be completed in 2022 for every operator inspected.

### Attachment 3 - List of Operators

#### GAS FACILITIES SUBJECT TO STATE SAFETY JURISDICTION AS OF DECEMBER 31, 2021

Operator Business Name Operator ID Address	Distribution (Operator type & Inspection Units)					Transmission (Operator type & Inspection Units)		LNG(Operator type & Inspection Units)		Other (Operator type & Inspection Units)	
	Private	Municipal	Master Meter	LPG	Other	Intrastate	Interstate	Intrastate	Interstate	Gathering Lines (Jurisdictional)	Offshore Facilities (State Waters)
<b>Adamsville Gas Department</b> 49 Box 301, Adamsville, TN 38310	0	1	0	0	0	0	0	0	0	0	0
<b>AGC Flat Glass</b> 32188 600 AFG Road, Church Hill, TN 37642	0	0	0	0	0	1	0	0	0	0	0
<b>AGL Resources</b> 2288 2207 Olan Mills Drive, Chattanooga, TN 37421	1	0	0	0	0	1	0	0	0	0	0
<b>Alexian Village of Tennessee</b> 35982 100 James Boulevard, Signal Mountain, TN 37377	0	0	1	0	0	0	0	0	0	0	0
<b>Athens Utilities Board</b> 774 P. O. Box 689, Athens, TN 37303	0	1	0	0	0	0	0	0	0	0	0
<b>Atmos Energy</b> 20211 810 Crescent Centre Drive Ste. 600, Franklin, TN 37067	8	0	0	0	0	1	0	0	0	0	0
<b>B W Pipeline</b> 32659 728 South Jefferson, Cookeville, TN 38501	0	0	0	0	0	1	0	0	0	0	0
<b>Bedford County Utility District</b> 31694 214 Bethany Lane, Shelbyville, TN 37160	0	0	0	0	1	0	0	0	0	0	0

<b>Bells Gas Water</b> 30618 P O Box 760, Bells, TN 38006	0	1	0	0	0	0	0	0	0	0	0
<b>Bolivar Gas Department</b> 1616 211 North Washington Street, Bolivar, TN 38008	0	1	0	0	0	0	0	0	0	0	0
<b>Brownsville Gas</b> 1840 P. O. Box 424, Brownsville, TN 38012	0	1	0	0	0	0	0	0	0	0	0
<b>Centerville Gas Department</b> 2176 128 North Central Avenue, Centerville, TN 37033	0	1	0	0	0	0	0	0	0	0	0
<b>Citizens Gas Utility District</b> 2412 P. O. Box 320, Helenwood, TN 37755	0	0	0	0	1	0	0	0	0	0	0
<b>City of Clifton Gas Department</b> 972 P. O. Box 192, Clifton, TN 38425	0	1	0	0	0	0	0	0	0	0	0
<b>City of South Fulton Gas Department</b> 18432 700 Milton Counce Boulevard, South Fulton, TN 38257	0	1	0	0	0	0	0	0	0	0	0
<b>Claiborne County Utility District</b> 31498 P O Box 606, New Tazewell, TN 37825	0	0	0	0	1	0	0	0	0	0	0
<b>Clarksville Gas Department</b> 2460 2215 Madison Street, Clarksville, TN 37041-0387	0	1	0	0	0	0	0	0	0	0	0
<b>Clay Gas Utility District</b> 31315 P.O. Box 307, Celina, TN 38551-0307	0	0	0	0	1	0	0	0	0	0	0
<b>Collinwood Gas Department</b> 2556 Box 98, Collinwood, TN 38450	0	1	0	0	0	0	0	0	0	0	0
<b>Cookeville Gas Department</b> 2764 Box 998, Cookeville, TN 38501	0	1	0	0	0	0	0	0	0	0	0
<b>Counce Natural Gas System</b> 30863 P O Box 285, Burnesville, MS 38833-0285	1	0	0	0	0	0	0	0	0	0	0
<b>Covington Gas Department</b> 2853 Box 768, Covington, TN 38019	0	1	0	0	0	0	0	0	0	0	0

<b>Crockett Public Utility District</b> 2880 82 No. Bells Street, Alamo, TN 38001	0	0	0	0	1	0	0	0	0	0	0
<b>Diversified Midstream LLC</b> 39619 PO Box 381087, Birmingham, AL 35238	0	0	0	0	0	2	0	0	0	0	0
<b>Domtar Paper</b> 39133 100 Clinchfield Street, Kingsport, TN 37660	0	0	0	0	0	1	0	0	0	0	0
<b>Dunlap Gas System</b> 3610 P. O. Box 145, Dunlap, TN 37327	0	1	0	0	0	0	0	0	0	0	0
<b>Dyersburg Gas Department</b> 3660 435 Highway 51 Bypass South, Dyersburg, TN 38025	0	1	0	0	0	0	0	0	0	0	0
<b>Eco Energy Natural Gas LLC</b> 40050 6100 Tower Circle, Suite 500 Franklin, TN 37067	0	0	0	0	0	0	0	0	0	1	0
<b>Elk River Public Utility District</b> 4370 P O Box 970, Tullahoma, TN 37388-0970	0	0	0	0	1	0	0	0	0	0	0
<b>Englewood Gas Department</b> 4480 P. O. Box 150, Englewood, TN 37329	0	1	0	0	0	0	0	0	0	0	0
<b>Etowah Utilities</b> 4567 P O Box 927, Etowah, TN 37331-0927	0	1	0	0	0	0	0	0	0	0	0
<b>Fayetteville Public Utilities</b> 5110 408 College Street West, Fayetteville, TN 37334	0	1	0	0	0	0	0	0	0	0	0
<b>First Utility District of Tipton Co.</b> 19471 P. O. Box 684, Covington, TN 38019	0	0	0	0	1	0	0	0	0	0	0
<b>Forexco Gas</b> 30975 37 Courthouse Square, Whitley, KY 42653	1	0	0	0	0	0	0	0	0	0	0
<b>Fort Campbell</b> 40144 2215 Madison St, Clarksville, TN 37043	0	0	1	0	0	0	0	0	0	0	0
<b>Friendship Gas Department</b> 3640 Box 265, Friendship, TN 38034	0	1	0	0	0	0	0	0	0	0	0

<b>Gallatin Natural Gas System</b> 6040 239 Hancock Street, Gallatin, TN 37066	0	1	0	0	0	0	0	0	0	0	0
<b>Galloway Gas Company</b> 6035 Box 168, Galloway, TN 38036	0	1	0	0	0	0	0	0	0	0	0
<b>General Gas LLC</b> 39126 3213 Hwy 25E, Suite 4, Tazwell, TN 37879	0	0	0	0	0	1	0	0	0	0	0
<b>Gibson County Utility District</b> 6370 P. O.Box 350, Trenton, TN 38382	0	0	0	0	1	0	0	0	0	0	0
<b>Greater Dickson Gas Authority</b> 6716 605 East Walnut Street, Dickson, TN 37055	0	1	0	0	0	0	0	0	0	0	0
<b>Green Hills Terrace Apartments (Ghertner Company)</b> 35986 1900 Richard Jones Road, Nashville, TN 37215	0	0	1	0	0	0	0	0	0	0	0
<b>Halls Gas Department</b> 7025 208 N. Church Street, Halls, TN 38040	0	1	0	0	0	0	0	0	0	0	0
<b>Hardeman-Fayette Utility District</b> 7060 P. O. Box 7, Moscow, TN 38057	0	0	0	0	1	0	0	0	0	0	0
<b>Harriman Utility Board</b> 7090 P. O. Box 434, Harriman, TN 37748	0	1	0	0	0	0	0	0	0	0	0
<b>Hawkins County Utility District</b> 7170 202 Park Boulevard, Rogersville, TN 37857	0	0	0	0	1	0	0	0	0	0	0
<b>Henderson Gas Utilities</b> 7215 P. O. Box 68, Henderson, TN 38340	0	1	0	0	0	0	0	0	0	0	0
<b>Henning Gas Department</b> 7225 260 North Main Street, Henning, TN 38041	0	1	0	0	0	0	0	0	0	0	0
<b>Hohenwald Natural Gas System</b> 7310 118 W. Linden Avenue, Hohenwald, TN 38462	0	1	0	0	0	0	0	0	0	0	0
<b>Horton Highway Utility District</b> 7365 P. O.Box 85, Chapel Hill, TN 37034	0	0	0	0	1	0	0	0	0	0	0

<b>Humboldt Gas Water Department</b> 7650 207 S. 13th, Humboldt, TN	0	1	0	0	0	0	0	0	0	0	0
<b>Humphreys County Utility District</b> 7655 P. O. Box 519, Waverly, TN 37185	0	0	0	0	1	1	0	0	0	0	0
<b>Huntingdon Housing Authority</b> 35801 433 Hillcourt Circle, Huntingdon, TN 38344	0	0	1	0	0	0	0	0	0	0	0
<b>Jackson Energy Authority</b> 9040 P. O. Box 68, Jackson, TN 38302-0068	0	1	0	0	0	0	0	0	0	0	0
<b>Jackson Housing Authority</b> 35802 P. O. Box 3188, Jackson, TN 38303	0	0	1	0	0	0	0	0	0	0	0
<b>Jamestown Gas Department</b> 9100 Box 670, Jamestown, TN 38556	0	1	0	0	0	0	0	0	0	0	0
<b>Jefferson City Housing Authority</b> 35803 942 E. Ellis Street, Jefferson City, TN 37760	0	0	1	0	0	0	0	0	0	0	0
<b>Jefferson-Cocke County Utility District</b> 9200 122 Highway 25E, Newport, TN 37821	0	0	0	0	1	1	0	0	0	0	0
<b>Johnson University</b> 35989 7900 Johnson Drive, Knoxville, TN 37998	0	0	1	0	0	0	0	0	0	0	0
<b>Kirby Pines Estates</b> 35988 3535 Kirby Road, Memphis, TN 38115	0	0	1	0	0	0	0	0	0	0	0
<b>Knoxville Utilities Board</b> 10310 P. O. Box 59017, Knoxville, TN 37950-9017	0	1	0	0	0	0	0	0	0	0	0
<b>Lafayette Gas Department</b> 11064 P.O. Box 275, Lafayette, TN 37083	0	1	0	0	0	0	0	0	0	0	0
<b>Lake County Utility District</b> 11120 P. O. Box 376, Tiptonville, TN 38079	0	0	0	0	1	0	0	0	0	0	0
<b>Lawrenceburg Gas Division</b> 11296 2009 Liberty Avenue, Lawrenceburg, TN 38464	0	1	0	0	0	0	0	0	0	0	0



<b>Lebanon Gas Department</b> 11336 215 Maddox Simpson Parkway, Lebanon, TN 37090	0	1	0	0	0	0	0	0	0	0	0
<b>Lebanon Housing Authority</b> 35804 P. O. Box 187, Lebanon, TN 37087	0	0	1	0	0	0	0	0	0	0	0
<b>Lenoir City Utilities Board</b> 11376 220 Depot Street, Lenoir City, TN 37771	0	1	0	0	0	0	0	0	0	0	0
<b>Lewisburg Gas Department</b> 11416 P. O. Box 1069, Lewisburg, TN 37091	0	1	0	0	0	0	0	0	0	0	0
<b>Lexington Gas System</b> 11448 50 Monroe Avenue, Lexington, TN 38351	0	1	0	0	0	0	0	0	0	0	0
<b>Lexington Housing Authority</b> 39665 100 Willow Courts, Lexington, TN 38351	0	0	1	0	0	0	0	0	0	0	0
<b>Linden Natural Gas System</b> 11520 P. O. Box 46, Linden, TN 37096	0	1	0	0	0	0	0	0	0	0	0
<b>Livingston Gas System</b> 11600 301 McHenry Circle, Livingston, TN 38570	0	1	0	0	0	0	0	0	0	0	0
<b>Livingston Housing Authority</b> 35805 P. O. Box 98, Livingston, TN 38570	0	0	1	0	0	0	0	0	0	0	0
<b>Lobelville Gas Company</b> 11624 P. O. Box 369, Lobelville, TN 37097	0	1	0	0	0	0	0	0	0	0	0
<b>Loretto Municipal Gas System</b> 11752 P. O. Box 176, Loretto, TN 38469	0	1	0	0	0	0	0	0	0	0	0
<b>Loudon Utilities Gas Division</b> 1776 P O Box 69, Loudon, TN 37774	0	1	0	0	0	0	0	0	0	0	0
<b>Madisonville Gas System</b> 12042 400 College Street, Madisonville, TN 37354	0	1	0	0	0	0	0	0	0	0	0
<b>Marion Natural Gas System</b> 12168 P. O. Box 408, South Pittsburg, TN 37380	0	1	0	0	0	0	0	0	0	0	0

<b>Martin Gas Department</b> 12204 703 North Lindell St., Martin, TN 38237	0	1	0	0	0	0	0	0	0	0	0
<b>Martin Housing Authority</b> 35806 134 East Heights Drive, Martin, TN 38237	0	0	1	0	0	0	0	0	0	0	0
<b>Mason Natural Gas System</b> 12222 12157 Main Street, Mason, TN 38049	0	1	0	0	0	0	0	0	0	0	0
<b>Maury City Gas System</b> 12234 P. O. Box 245, Maury City, TN 38050	0	1	0	0	0	0	0	0	0	0	0
<b>McKenzie Housing Authority</b> 35973 22 McDonald Avenue, McKenzie, TN 38201	0	0	1	0	0	0	0	0	0	0	0
<b>Memphis Housing Authority</b> 35974 700 Adams Avenue, Memphis, TN 38105	0	0	1	0	0	0	0	0	0	0	0
<b>Memphis Light Gas Water Division</b> 12342 P.O. Box 430, Memphis, TN 38101	0	1	0	0	0	1	0	1	0	0	0
<b>Meridian Apartments</b> 35983 309 Broome Road, Knoxville, TN 37923	0	0	1	0	0	0	0	0	0	0	0
<b>Metro Development Housing Agency</b> 35975 890 South Seventh Street, Nashville, TN 37206	0	0	1	0	0	0	0	0	0	0	0
<b>Middle Tennessee Gas Utility District</b> 12438 P. O. Box 670, Smithville, TN 37166	0	0	0	0	5	0	0	0	0	0	0
<b>Middleton Gas</b> 39121 300 South Main Street, Moscow, TN 38052	0	1	0	0	0	0	0	0	0	0	0
<b>Mount Pleasant Gas System</b> 25126 Box 426, Mount Pleasant, TN 38474	0	1	0	0	0	0	0	0	0	0	0
<b>Munford Gas Company</b> 12697 1397 Munford Avenue, Munford, TN 38058	0	1	0	0	0	0	0	0	0	0	0
<b>Navitas</b> 32647 3186-D Airway Ave, Costa Mesa, CA 92626	2	0	0	0	0	0	0	0	0	0	0



<b>Newbern Housing Authority</b> 39664 100 Flower Valley Drive, Newbern, TN 38059	0	0	1	0	0	0	0	0	0	0	0
<b>Newbern Utilities</b> 13430 302 East Main Street, Newbern, TN 38059	0	1	0	0	0	0	0	0	0	0	0
<b>Oak Ridge Utility District</b> 14010 P. O. Box 4189, Oak Ridge, TN 37831-4189	0	0	0	0	1	0	0	0	0	0	0
<b>Obion Gas System</b> 14040 P. O. Box 547, Obion, TN 38240	0	1	0	0	0	0	0	0	0	0	0
<b>Paris-Henry County Utility District</b> 15126 P. O. Box 309, Paris, TN 38242	0	0	0	0	1	0	0	0	0	0	0
<b>Parsons Natural Gas System</b> 15140 P O Box 128, Parsons, TN 38363	0	1	0	0	0	0	0	0	0	0	0
<b>Parsons-Decaturville Housing Authority</b> 35977 155 Miller Street Apt. 301C, Parsons, TN 38363	0	0	1	0	0	0	0	0	0	0	0
<b>Pentad Group</b> 35987 2101 Merchants Road, Ste. 2, Germantown, TN 38138	0	0	3	0	0	0	0	0	0	0	0
<b>Piedmont Natural Gas</b> 15518 83 Century Boulevard, Nashville, TN 37214	1	0	0	0	0	1	0	1	0	0	0
<b>Pikeville Natural Gas System</b> 15560 P. O. Box 225, Pikeville, TN 37367	0	1	0	0	0	0	0	0	0	0	0
<b>Poplar Grove Utility District</b> 30669 P. O. Box 129, Tipton, TN 38071	0	0	0	0	1	0	0	0	0	0	0
<b>Portland Housing Authority</b> 35978 P. O. Box 37, Portland, TN 37148	0	0	1	0	0	0	0	0	0	0	0
<b>Portland Natural Gas System</b> 15784 100 South Russell Street, Portland, TN 37148	0	1	0	0	0	0	0	0	0	0	0
<b>Powell Valley Utility District</b> 32165 P. O. Box 412, Sneedville, TN 37869-0412	0	0	0	0	1	0	0	0	0	0	0

<b>Powell-Clinch Utility District</b> 15826 P O Box 428, Lake City, TN 37769	0	0	0	0	1	0	0	0	0	0	0
<b>Pulaski Natural Gas Department</b> 15966 203 S. First Street, Pulaski, TN 38478	0	1	0	0	0	0	0	0	0	0	0
<b>Red Boiling Springs Gas Utility</b> 30643 PO Box 190, Red Boiling Springs, TN 37150	0	1	0	0	0	0	0	0	0	0	0
<b>Ridgetop Natural Gas System</b> 17400 Box 650, Ridgetop, TN 37152	0	1	0	0	0	0	0	0	0	0	0
<b>Ripley Gas Department</b> 17470 P. O. Box 26, Ripley, TN 38063	0	1	0	0	0	0	0	0	0	0	0
<b>Ripley Housing Authority</b> 35990 101 Northcrest, Ripley, TN 38063	0	0	1	0	0	0	0	0	0	0	0
<b>Rockwood Natural Gas System</b> 17600 110 N. Chamberlain Avenue, Rockwood, TN 37854	0	1	0	0	0	0	0	0	0	0	0
<b>Saint Joseph Gas System</b> 30030 P. O. Box 37, St. Joseph, TN 38481	0	1	0	0	0	0	0	0	0	0	0
<b>Savannah Public Utilities</b> 18124 140 Main Street, Savannah, TN 38372	0	1	0	0	0	0	0	0	0	0	0
<b>Scepter</b> 31987 1230 Pottertown Road, Midway, TN 37809	0	0	0	0	0	1	0	0	0	0	0
<b>Selmer Utility Division</b> 18176 P. O. Box 649, Selmer, TN 38375-0649	0	1	0	0	0	0	0	0	0	0	0
<b>Sevier County Utility District</b> 18192 P. O. Box 4398, Sevierville, TN 37864-4398	0	0	0	0	1	0	0	0	0	0	0
<b>Smelter Service Corporation</b> 39343 400 Arrow Mines Road, Mt Pleasant, TN 38474	0	0	0	0	0	1	0	0	0	0	0
<b>Smyrna Natural Gas System</b> 18368 315 South Lowry Street, Smyrna, TN 37167	0	1	0	0	0	0	0	0	0	0	0



<b>Somerville Light Gas Water</b> 18392 13085 North Main Street, Somerville, TN 38068	0	1	0	0	0	0	6	0	0	0	0
<b>South Pittsburg Housing Authority</b> 35979 P. O. Box 231, South Pittsburg, TN 37380	0	0	1	0	0	0	0	0	0	0	0
<b>Southern Company</b> 31724 3535 Colonnade Parkway, Bin-S-675-EC Birmingham, AL 35243	0	0	0	0	0	0	0	0	0	1	0
<b>Springfield Gas System</b> 18591 P. O. Box 788, Springfield, TN 37172	0	1	0	0	0	0	0	0	0	0	0
<b>Sweetwater Utilities Board</b> 18768 P. O. Box 191, Sweetwater, TN 37874	0	1	0	0	0	0	0	0	0	0	0
<b>Troy Gas System</b> 19710 P. O. Box 246, Troy, TN 38260	0	1	0	0	0	0	0	0	0	0	0
<b>Tullahoma Housing Authority</b> 35980 2401 Cedar Lane Village Drive, Tullahoma, TN 37388	0	0	1	0	0	0	0	0	0	0	0
<b>Unicoi County Utility District</b> 20030 P O Box 599, Erwin, TN 37650	0	0	0	0	1	0	0	0	0	0	0
<b>Union City Housing Authority</b> 35981 1409 East Main Street, Union City, TN 38261	0	0	1	0	0	0	0	0	0	0	0
<b>Volunteer Energy Cooperative</b> 32307 18359 Highway 58 N, Decatur, TN 37322	0	0	0	0	1	0	0	0	0	0	0
<b>Wacker Polysilicon North America</b> 39275 553 Wacker Blvd NW, Charleston, TN 37310	0	0	0	0	0	1	0	0	0	0	0
<b>Waynesboro Natural Gas System</b> 22315 P. O. Box 471, Waynesboro, TN 38485	0	1	0	0	0	0	0	0	0	0	0
<b>West Tennessee Public Utility District</b> 22434 P. O. Box 568, Huntingdon, TN 38344	0	0	0	0	1	0	0	0	0	0	0



	Distribution (Operator type & Inspection Units)					Transmission (Operator type & Inspection Units)		LNG(Operator type & Inspection Units)		Other (Operator type & Inspection Units)	
	Private	Municipal	Master Meter	LPG	Other	Intrastate	Interstate	Intrastate	Interstate	Gathering Lines (Jurisdictional)	Offshore Facilities (State Waters)
Inspection Unit totals by type	14	69	26	0	28	15	0	2	0	2	0

## Total Operators

133

### Attachment 3 Notes:

Added operator (Wacker) due to operator filing SRCR - operator had been removed as inspection unit from a previous program manager. SRCR was followed up with Onsite visit and annual inspection will take place in 2022.

Deleted Atlas Energy and combined with Diversified as they purchased Atlas Energy.



## Attachment 4 - Incidents/Accidents

### SIGNIFICANT<sup>4</sup> GAS INCIDENTS/ACCIDENTS JANUARY 1, THROUGH DECEMBER 31, 2021

Date of Incident	Location - City/County/etc.	System Type	Injuries #	Fatalities #	Property Damage <sup>3</sup> \$	Operator Cause Code <sup>1</sup>	State Cause Code <sup>1</sup>
08/20/2021	MILLINGTON	GD	0	0	\$16,275.00	C3	C3

Name of Operator: MEMPHIS LIGHT GAS & WATER DIVISION

Operator ID: 12342 Report No: 20210081

**Summary<sup>2</sup>**

3rd Party contractor was hired by land/homeowner to grade and re-shape existing pond on the property. A 10" steel natural gas line was hit during the excavation. Contractor did not have One Call ticket, and relied on the placement of line markers to determine the location of the pipeline. Natural gas was released and pressure drop notification was identified by operator service center. Repair was made by isolating the failure location by operating four (4) valves to shut off the flow of gas to prep for repair. Blowdown of pipeline was completed and further excavation of pipeline was conducted. Repair consisted of a 17"x 10" steel patch to cover a gash approximately 8" x 5". A 10" steel reinforcement sleeve was welded on top of repair. Weld areas were soap tested and area was backfilled. Valves were opened to restore gas flow. Bar hole testing was performed for leak detection/migration. No leaks were identified.

Appropriate notifications by the operator to TPUC occurred. A TPUC inspector was already onsite conducting a construction inspection of the operator. Follow up inspection of the incident area was conducted by the inspector onsite within 48 hours of initial incident taking place.

<sup>1</sup>High Level Cause Codes: A - Corrosion failure; B - Natural Force Damage; C - Excavation Damage; D - Other Outside Force Damage; E - Pipe, Weld or Joint Failure; F - Equipment Failure; G - Incorrect Operation; H - Other Incident Cause; IP - Investigation Pending;

<sup>2</sup>Please include a summary or report of the state agency's investigation of each of the above incidents.

<sup>3</sup>Interstate agents should use the 191.3 Incident definition for listing incidents investigated on interstate facilities.

**Attachment 4 Notes**

See Summary of Incident for details.

## Attachment 5 - Stats on Compliance Actions

### STATE COMPLIANCE ACTIONS -- CALENDAR YEAR (CY) 2021

Probable Violation Categories	Intrastate	Interstate
Number carried over from all previous CY's	7	0
Number Found During CY	9	0
Number submitted for DOT action [60106 Agreement agent only]	0	0
Number corrected during CY (including carry over from previous year(s))	12	0
Number to be corrected at end of CY (including carry over)	4	0

#### Number of Compliance Actions Taken <sup>1</sup>

(see definition) 12

#### Civil Penalties

Number assessed during CY	2
Dollars assessed during CY	\$60,000.00
Number collected during CY	2
Dollars collected during CY	\$60,000.00

<sup>1</sup>Do not double count for a related series of actions.

#### Attachment 5 Notes

\$60,000 Civil Penalty was assessed and collected from Memphis Light, Gas, & Water for 2 violations in relation to the operation of their LNG facility Control Room. The inspection which resulted in the civil penalties being assessed had a total of 5 violations written, 4 out of the 5 were closed during 2021. The remaining 1 violation will be closed out at the 2022 inspection due to intervals needed for Fire Control System inspections to be done as stated in 193.2619(c)(2).



## Attachment 6 - List of Records Kept

### GAS STATE RECORD MAINTENANCE AND REPORTING DURING CY 2021

#### Records Maintained by the State Agency

Inspector's weekly itinerary/log sheet and time sheets.  
Report of Gas inspections.  
Spreadsheet of violations cited and cleared.  
Letters to Gas operators reporting compliance and non-compliance with the Minimum Federal Safety Standards.  
Inventory control records of equipment and field inspection tools.  
Pipeline Safety Program financial records.  
Cathodic Protection Status Reports  
Accident Investigation Reports.  
Inspection checklist forms for standard and specialized inspections.  
Tennessee's Underground Utility Damage Prevention Law.  
Office of Pipeline Safety Training manuals, computer based training discs, and supplemental materials.  
Current WINDot compliance software and Pipeline safety regulations handbooks.  
Operator qualification rule guidelines and training information including protocols  
Pipeline Safety Grant information  
Inspection Risk Management Model  
Bare Steel Replacement Program for Atmos Energy  
Maintain current specifications for projects designed/constructed by various operators.  
Electronic database containing detailed operator and inspection information including violations, inspection type, inspection person days, inspection date(s), etc.  
Cast Iron Replacement Programs for all operators where applicable  
Mechanical Coupling Replacement/Repair Programs for all operators where applicable

#### Reports Required from Operators

Construction notifications  
Copies of Annual DOT report form (Distribution)  
Copies of DOT accident/incident reports  
Copies of Mechanical Fittings Failure reports  
Copies of Safety Related Condition reports  
Copies of Annual DOT report form (Transmission)

#### Attachment 6 Notes



## Attachment 7 - Staffing and TQ Training

### STATE EMPLOYEES DIRECTLY INVOLVED IN THE GAS PIPELINE SAFETY PROGRAM DURING CY 2021

Name/Title	% Time	# Months	Qual. Cat.
<b>Supervisor</b>			
<b>Bryce Keener</b> Director	100.000	12	III
<b>Travis Aslinger</b> Deputy Director	90.000	12	I
<b>Inspector/Investigator</b>			
<b>Daniel Allen</b> TPUC Utility Inspector 1	100.000	12	III
<b>Darrin Ulmer</b> TPUC Utility Inspector 2	100.000	2.75	II
<b>Diana Hawkins</b> TPUC Utility Inspector 1	100.000	6.75	I
<b>Phillip Hendricks</b> Envi. Prot. Specialist 3	100.000	12	I
<b>Regina Brown</b> TPUC Utility Inspector 2	100.000	12	I
<b>Shinisha Freeman</b> Env. Prot. Specialist 3	100.000	12	I
<b>Ted Wilkinson</b> TPUC Utility Inspector 2	100.000	12	II
<b>Travis Aslinger</b> TPUC Utility Inspector 2	10.000	12	I
<b>Clerical and Administrative Support</b>			
<b>Tevin Thompson</b> Administrative Assistant	100.000	12	NA

## Summary

<u>Employee Type</u>	<u>No. of Staff</u>	<u>Person-Years</u>
Supervisor	2	1.900
Damage Prevention/Technical	0	0.000
Inspectors/Investigators	8	5.890
Clerical/Administrative	1	1.000
<b>Total</b>	<b>11</b>	<b>8.790</b>

## Attachment 7 Notes

Diana Hawkins' last day was 6/23/21  
Darrin Ulmer's first day was 10/18/21

Darrin Ulmer - II C  
Ted Wilkinson - II B



## Attachment 8 - Compliance with Federal Regulations

### STATE COMPLIANCE WITH FEDERAL REQUIREMENTS AS OF DECEMBER 31, 2021

No.	Effective Date	Impact	Adoption Date	AdoptionStatus
1		<b>Maximum Penalties Substantially same as DOT (\$225,134/\$2,251,334). State must adopt minimum penalties of at least (\$100,000/\$1,000,000). Indicate actual amount in notes.</b>	07/2020	Adopted (\$100,000/\$1,000,000)
Note <sup>1</sup>		TCA Section 65-28-108: Any person who violates any provisions of section 65-28-104 to 65-28-111 or any regulation issued under such section is subject to a civil penalty not to exceed ten thousand dollars (\$10,000) for each violation for each day that such violation persists, except that the maximum civil penalty shall not exceed five hundred thousand dollars (\$500,000) for any continuing series of violations		
2		<b>Part 192 Amendments</b>		
1-115	Pre 2011	[All applicable amendments prior to and including 2010]	12/31/2010	Adopted
Note <sup>1</sup>		Adoption of all amendments prior to 2011		
116 - 76 FR 5494	4/4/2011	Mechanical Fitting Failure Reporting Requirements	4/2011	Adopted
Note <sup>1</sup>				
117-76 FR 35130	8/15/2011	Control Room Management/Human Factors	8/2011	Adopted
Note <sup>1</sup>				
118 - 78 FR 58897	10/25/2013	Administrative Procedures, Updates, and Technical Corrections (Not applicable to States)	9/2013	Adopted
Note <sup>1</sup>				
119 - 80 FR 168	3/6/2015	Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits	3/6/2015	Adopted
Note <sup>1</sup>				
120 - 80 FR 12779	10/1/2015	Miscellaneous Changes to Pipeline Safety Regulations (Part 192.305 DELAYED)	10/1/2015	Adopted
Note <sup>1</sup>				

121 - 81 FR 70989	4/14/2017	Expanding the Use of Excess Flow Valves in Gas Distribution Systems to Applications Other Than Single-Family Residences	04/14/2017	Adopted
Note <sup>1</sup>				
123 - 82 FR 7972	3/24/2017	Operator Qualification, Cost Recovery, Accident and Incident Notification, and Other Pipeline Safety Changes	3/24/2017	Adopted
Note <sup>1</sup>				
124 - 83 FR 58694	1/22/2019	Use of Plastic Piping Systems in the Transportation of Natural and Other Gas	1/22/2019	Adopted
Note <sup>1</sup>	new amendment for 2019			
125 - 84 FR 52180	7/1/2020	Pipeline Safety: Safety of Gas Transmission Pipelines: MAOP Reconfirmation, Expansion of Assessment Requirements, and Other Related Amendments	7/1/2020	Adopted
Note <sup>1</sup>				
126 - 86 FR 2210	3/12/2021	Pipeline Safety: Gas Pipeline Regulatory Reform (Delayed to 3/21) (Delayed Compliance date 10/12/2021)	3/12/2021	Adopted
Note <sup>1</sup>				
<b>3</b>	<b>Part 193 Amendments (applicable only where state has jurisdiction over LNG)</b>			
1-23	Pre 2011	[All applicable amendments prior to and including 2010]	12/31/2010	Adopted
Note <sup>1</sup>	Adoption of all amendments prior to 2011			
24 - 78 FR 58897	10/25/2013	Administrative Procedures, Updates, and Technical Corrections	9/2013	Adopted
Note <sup>1</sup>				
25 - 80 FR 168	3/6/2015	Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits	3/6/2015	Adopted
Note <sup>1</sup>				
<b>4</b>	<b>Part 199 - Drug Testing</b>			<b>05/1991</b> Adopted
Note <sup>1</sup>				
<b>5</b>	<b>Part 199 Amendments</b>			
1-24	Pre 2011	[All applicable amendments prior to and including 2010]	12/31/2010	Adopted
Note <sup>1</sup>	Adoption of all amendments prior to 2011			

25 - 78 FR 58897	10/25/2013	Administrative Procedures, Updates, and Technical Corrections	09/2013	Adopted
Note <sup>1</sup>				
26 - 80 FR 168	3/6/2015	Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits	3/6/2015	Adopted
Note <sup>1</sup>				
27 - 82 FR 7972	3/24/2017	Operator Qualification, Cost Recovery, Accident and Incident Notification, and Other Pipeline Safety Changes	3/24/2017	Adopted
Note <sup>1</sup>				
28 - 84 FR 16770	4/23/2019	Conforming Amendments and Technical Corrections to Department Rules Implementing the Transportation Industry Drug Testing Program	04/23/2019	Adopted
Note <sup>1</sup>				
<b>6</b>	<b>State Adoption of Part 198 State One-Call Damage Prevention Program</b>			
a.		Mandatory coverage of areas having pipeline facilities	07/1999	Adopted
Note <sup>1</sup>				
b.		Qualification for operation of one-call system	07/1999	Adopted
Note <sup>1</sup>				
c.		Mandatory excavator notification of one-call center	07/1999	Adopted
Note <sup>1</sup>				
d.		State determination whether calls to center are toll free	07/1999	Adopted
Note <sup>1</sup>				
e.		Mandatory intrastate pipeline operator participation	07/1999	Adopted
Note <sup>1</sup>				
f.		Mandatory operator response to notification	07/1999	Adopted
Note <sup>1</sup>				
g.		Mandatory notification of excavators/public	07/1999	Adopted
Note <sup>1</sup>				

h.	Civil penalties/injunctive relief substantially same as DOT	07/2021	Adopted but Different Dollar Amounts
Note'	UUDP Board requires training for first offense, and \$2,500 for additional offenses up to a maximum of \$10,000. \$15,000 fine if violation was the result of gross negligence or willful or wanton misconduct as determined by Enforcement Board.		

**If Adoption Status is No, Please provide an explanation**

State Attendance at 2021 NAPSR Regional Meeting: Attended full time (Lead rep or alternative pipeline staff)  
 Frequency of General Legislative Session: Annually

**Attachment 8 Notes**

Updated Civil Penalty amount to \$100,000/\$1,000,000 - adopted into state rules July 1, 2020.

Updated civil penalty fines for underground damage for maximum amount from \$5,000 to \$10,000. \$15,000 fine if violation was the result of gross negligence or willful or wanton misconduct as determined by Enforcement Board.

Civil Penalties were successfully raised from \$10,000/\$100,000 to \$100,000/\$1,000,000



# Attachment 10 - Performance and Damage Prevention Questions

## CALENDAR YEAR (CY) 2021

### **Planned Performance: What are your Planned Annual and Long-term goals for your Pipeline Safety Program?**

For 2022 each operator throughout the state will receive an annual inspection focusing on Regulator, Relief, & Odorant. Each operator will also have a Public Awareness and Drug & Alcohol inspection conducted. We will continue to address construction inspections throughout the year, with the hope of observing some longer term projects and different types of installations than in previous years.

We will also continue to try and complete small group training sessions centered around DIMP and other issues we deem necessary or requested by our operators. A continued focus on Damage Prevention will also occur throughout 2022.

We are still trying to round out TQ trainings for certain individuals based on need. There are two inspectors who are still waiting on ECDA to complete all required TQ classes.

### **Past Performance: What did the Pipeline Safety Program accomplish during the subject year (to this document) to contribute toward the program's annual and long-term goals?**

In 2021 every operator received an annual inspection focusing on Corrosion. In addition to the annual inspection each operator also received a Protocol 1-8 inspection.

Small group training sessions occurred throughout the state focusing on Damage Prevention, DIMP, and other needs requested by our operators or identified by our team.

We lost an inspector in June and were able to fill the position in October with someone who completely trained and qualified via PHMSA and has great experience.

TQ classes were completed via the VLT platform for three (3) inspectors, totaling ( ) classes.

### **1. Has the state or agency reviewed the Damage Prevention Assistance Program (DPAP) document in the last twelve months?**

Yes

### **2. Has the state or agency developed or is in the process of developing a plan to address the nine elements contained in the PIPES Act of 2006 for an effective State Damage Prevention Program?**

Yes

**If yes to question 2, where does the state or agency stand on implementation of the nine elements contained in the PIPES Act of 2006? Please provide a description of how the state or agency has or will meet each element. If not, please provide a brief passage explaining the reasons why the state or agency has not.**

The State of Tennessee implements the 9 elements of the PIPES Act of 2006 through its Underground Utility Damage Prevention Board. The Board operates independently of and is not jurisdictional of the Gas Pipeline Safety program. The UUDPB received an "Adequate" from PHMSA for its 2020 Program Inspection.

### **Attachment 10 Notes**



**ASSISTANCE AGREEMENT**

1. Award No. 693JK32140016PSDP		2. Modification No.	3. Effective Date 9/29/2021	4. CFDA No. Lg. 720
5. Awarded To TENNESSEE PUBLIC UTILITY COMMISSION Attn: CHRIS C EATON 502 DEADERICK ST NASHVILLE TN 372430200		5. Sponsoring Office PIPELINE AND HAZARDOUS MATERIALS SA Office of Pipeline Safety (PHPS) 1200 New Jersey Avenue SE, East Bldg, 3rd Washington DC 20590		7. Period of Performance 09/29/2021 through 09/28/2022
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority 49 U.S.C. 60134 State Damage Prevention Programs		10. Purchase Request or Funding Document No. PH956-21-0139	
11. Remittance Address TENNESSEE PUBLIC UTILITY COMMISSION Attn: TENNESSEE PUBLIC UTILITY COMMISSION 502 DEADERICK ST. 4TH FLOOR NASHVILLE TN 372439021		12. Total Amount Govt. Share: \$68,894.00  Cost Share : \$0.00  Total : \$88,894.00		13. Funds Obligated This action: \$88,894.00  Total : \$88,894.00
14. Principal Investigator STACY BALTHROP stacy.balthrop@tn.gov		15. Program Manager ANNMARIE ROBERTSON Phone: 202-366-1622		16. Administrator PIPELINE AND HAZARDOUS MATERIALS SA Acquisition Services Division 1200 New Jersey Avenue SE, East Bldg, 3rd Washington DC 20590
17. Submit Payment Requests To PHMSA Delphi eInvoicing System <a href="https://einvoice.esc.gov">https://einvoice.esc.gov</a>		18. Paying Office PHMSA Delphi eInvoicing System <a href="https://einvoice.esc.gov">https://einvoice.esc.gov</a>		19. Submit Reports To See Article IV - Reports
20. Accounting and Appropriation Data 5172321DB2.2021.PSGRT03020.50D0207000.41050.61000000.0000000000.0000000000.0000000000.0000000000				
21. Research Title and/or Description of Project State Damage Prevention (SDP) Program Grants - FY2021				
For the Recipient		For the United States of America		
22. Signature of Person Authorized to Sign Earl Taylor Taylor Date: 2021.10.18 18:16:25 -05'00'		25. Signature of Grants/Agreements Officer BRANDON P BEYER Digitally signed by BRANDON P BEYER Date: 2021.09.29 13:39:24 -04'00'		
23. Name and Title Earl Taylor, Executive Director	24. Date Signed	26. Name of Officer Brandon Beyer	27. Date Signed	

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
693JK32140016PSDP

PAGE OF  
2 | 2

NAME OF OFFEROR OR CONTRACTOR  
TENNESSEE PUBLIC UTILITY COMMISSION

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	This CLIN provides funding for this grant. Obligated Amount: \$88,894.00  The obligated amount of award: \$88,894.00. The total for this award is \$88,894.00.				88,894.00

**ASSISTANCE AGREEMENT**

1. Award No. 693JK32140016PSOC		2. Modification No.	3. Effective Date 09/29/2021	4. CFDA No.	
5. Awarded To TENNESSEE PUBLIC UTILITY COMMISSION Attn: Stacy Balthrop 502 DEADERICK ST NASHVILLE TN 372430200		6. Sponsoring Office PIPELINE AND HAZARDOUS MATERIALS SA Acquisition Services Division 1200 New Jersey Avenue SE, East Bldg, 3rd Washington DC 20590		7. Period of Performance 09/30/2021 through 09/29/2022	
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority		10. Purchase Request or Funding Document No. PH956-21-0120		
11. Remittance Address TENNESSEE PUBLIC UTILITY COMMISSION Attn: TENNESSEE PUBLIC UTILITY COMMISSION 502 DEADERICK ST. 4TH FLOOR NASHVILLE TN 372439021		12. Total Amount Govt. Share: \$30,815.00  Cost Share : \$0.00  Total : \$30,815.00		13. Funds Obligated This action: \$30,815.00  Total : \$30,815.00	
14. Principal Investigator		15. Program Manager REX EVANS Phone: 217-679-8495		16. Administrator PIPELINE AND HAZARDOUS MATERIALS SA Acquisition Services Division 1200 New Jersey Avenue SE, East Bldg, 3rd Washington DC 20590	
17. Submit Payment Requests To		18. Paying Office PHMSA Delphi eInvoicing System <a href="https://einvoice.esc.gov">https://einvoice.esc.gov</a>		19. Submit Reports To	
20. Accounting and Appropriation Data 5172321DB5.2021.PSGRT02030.50D0207000.41050.61000000.0000000000.0000000000.0000000000.0000000000					
21. Research Title and/or Description of Project					
For the Recipient			For the United States of America		
22. Signature of Person Authorized to Sign <b>Earl Taylor</b> Taylor Date: 2021.10.05 07:06:23 -05'00'			25. Signature of Grants/Agreements Officer <b>TREMAYNE WOODING TERRY</b> Digitally signed by TREMAYNE WOODING TERRY Date: 2021.09.29 18:39:17 -04'00'		
23. Name and Title <b>Earl Taylor, Executive Director</b>		24. Date Signed	26. Name of Officer TREMAYNE TERRY		27. Date Signed

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
693JK32140016PSOC

PAGE OF  
2 | 2

NAME OF OFFEROR OR CONTRACTOR  
TENNESSEE PUBLIC UTILITY COMMISSION

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	<p>Delivery: 1 Days After Award Delivery Location Code: PHMSA PHP-50 State Programs 1200 New Jersey Avenue, SE E21-321 Washington DC 20590 USA</p> <p>Tennessee 2021 One Call grant Obligated Amount: \$30,815.00</p> <p>The obligated amount of award: \$30,815.00. The total for this award is \$30,815.00.</p>				30,815.00

# Tennessee Public Utility Commission



## LIMITED ENGLISH PROFICIENCY (LEP) POLICY

The TPUC is committed to ensuring that Tennessee citizens with Limited English Proficiency (LEP) are provided with the means and opportunity to participate fully in the services and information that the TPUC provides. As such, we set forth the following policy directives to maintain this standard.

- The Commission will take certain actions and steps to ensure that persons with Limited English Proficiency (LEP) will have an equal opportunity and purposeful access to the information and services made available by the TPUC.
- The Commission will endeavor to maintain an established means of communication to persons with LEP by means of an established language translation service provider.
- The translators, interpreters and other aids needed to comply with the Commission's policy will be offered without cost to the LEP population being served.
- Such provided services will be made available through bilingual translators, fluent in multiple languages.
- CSD staff shall be provided with translation services contact information, such as service provider information cards and informational posters and kept current on new updates to translation services provided, such as new languages offered.
- CSD will maintain a record of LEP interactions. This information shall be available for review by the public.
- If requested, the translation of Commission documents will be provided to persons with LEP.
- CSD staff is advised to contact the commission's Title VI coordinator, if additional LEP resources are needed.
- Language translation will be provided through the State of Tennessee's contract service provider, Avaza Language Services (or through another State of Tennessee approved vendor of language translation services).

# Tennessee Public Utility Commission



## Title VI Complaint Form

---

**Name (Optional):**

**Address:**

**Phone:**

**Email:**

**Please describe the incident in detail (use a separate sheet if necessary)**

**Circle below the basis of the complaint:**

Race    Color    National Origin

**Name, address, and phone number of other persons who may have knowledge of the discriminatory event (if applicable):**

**Date of alleged event:**

**Please mail form to:** Tennessee Public Utility Commission, Title VI Coordinator, 502 Deaderick St, Nashville, TN 37243. Or to the Tennessee Human Rights Commission, William R. Snodgrass Bldg, Tennessee Towers, 312 Rosa L. Parks Blvd, 23<sup>rd</sup> Floor, Nashville, TN 37243

**Attachment E**

**Tennessee Public Commission  
Title VI Complaint Log**



**Name (Optional)                      Address, City, State Zip                      Ph.                      Email**

1)

2)

3)

4)

5)

## 2021 Title VI Training – Tennessee Public Utility Commission

Each year the Tennessee Public Utility Commission is required to undergo Title VI training. The training is designed to reaffirm our agency's commitment to comply with the Title VI law of the Civil Rights Act of 1964. The following training module will ensure that each employee understands and is aware of the Commission's commitment to Title VI and our efforts to support it.

### Training Question 1

1. As an employee of the Tennessee Public Utility Commission, do you reaffirm the agency's commitment to the Title VI law of the Civil Rights Act that prohibits entities from denying services or benefits based on race, color, or national origin? 0

- Yes
- No

### Training Question 2

2. The Tennessee Public Utility Commission is committed to serving citizens with Limited English Proficiency (LEP) to ensure that they are provided with equal opportunity and access to the services and information provided by the Commission. Do you? 0

- Support
- Oppose

### Training Question 3

3. The Tennessee Public Utility Commission utilizes language translation services for Limited English Proficiency (LEP) citizens. Do you agree to assist LEP citizens by forwarded such inquiries to the appropriate Division or person within the agency for assistance? 0

- Yes
- No



#### **Training Question 4**

4. Title VI also prohibits providing services or benefits in a discriminatory manner. One such example would include overlooking certain population sectors of the state to promote a consumer assistance program in favor of other population sectors. As a TPUC employee do you affirm the agency's commitment to provide services or benefits without partiality? 0

- Yes
- No

#### **Training Question 5**

5. Any person alleging discrimination based on race, color, or national origin has a right to file a complaint with the TPUC within 180 days of the alleged incident. As a TPUC employee, do you affirm the agency's commitment to the complaint filing process and agree to forward all such complaints to the appropriate Division? 0

- Yes
- No

#### **Training Question 6**

6. Title VI allows for complaints to be filed either verbally or in written form without the complainant providing their identity. As a TPUC employee do you affirm the agency's commitment to the complaint filing process? 0

- Yes
- No

#### **Training Question 7**

7. All Title VI complaints may be filed with the TPUC's Consumer Services Division or with the Executive Director's office.

- Affirm

# Tennessee Public Utility Commission



## Limited English Proficiency (LEP) Encounters (FY 21-22)

Month	Encounters
Jul 2021	2
Aug 2021	3
Sep 2021	2
Oct 2021	3
Nov 2021	1
Dec 2021	0
Jan 2022	1
Feb 2022	3
Mar 2022	4
Apr 2022	3
May 2022	3
Jun 2022	0
<b>Total (LEP) Encounters</b>	<b>25</b>