

August 12, 2021

**VIA ELECTRONIC MAIL TO: kenneth\_grubb@kindermorgan.com**

Mr. Kenneth Grubb  
Chief Operating Officer, Gas Pipelines  
Kinder Morgan, Inc.  
1001 Louisiana Street, Suite 1000  
Houston, TX 77002

**Re: CPF No. 2-2021-002-NOPV**

Dear Mr. Grubb:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Southern Region, this enforcement action will be closed. Service of the Final Order by e-mail is effective upon the date of transmission as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. James Urisko, Director, Southern Region, Office of Pipeline Safety, PHMSA  
Mr. Rob Perkins, Vice President – Gas Control, Kinder Morgan, Inc.,  
rob\_perkins@kindermorgan.com  
Mr. Jaime Hernandez, Director - Engineering, Compliance/Codes & Standards, Kinder  
Morgan, Inc., jaime\_hernandez@kindermorgan.com

**CONFIRMATION OF RECEIPT REQUESTED**

**U.S. DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

_____ )	
In the Matter of )	
_____ )	
Tennessee Gas Pipeline Company, LLC, )	CPF No. 2-2021-002-NOPV
a subsidiary of Kinder Morgan, Inc., )	
_____ )	
Respondent. )	
_____ )	

**FINAL ORDER**

On May 26, 2021, pursuant to 49 C.F.R. § 190.207, the Director, Southern Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Tennessee Gas Pipeline Company, LLC (Respondent), a subsidiary of Kinder Morgan, Inc. The Notice proposed finding that Respondent had violated a pipeline safety regulation in 49 C.F.R. Part 192. The Notice also proposed certain measures to correct the violation. Respondent did not contest the allegation of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulation listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 192.631(d)(1) (**Item 1**) — Respondent failed to establish shift lengths and schedule rotations that provide controllers off-duty time sufficient to achieve eight hours of continuous sleep, in order to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

**Compliance Actions**

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violation. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion

of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

August 12, 2021

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued