



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

901 Locust Street, Suite 480
Kansas City, MO 64106

WARNING LETTER

VIA ELECTRONIC MAIL TO: bill.moler@tallgrassenergylp.com and jennifer.eckels@tallgrassenergylp.com

October 26, 2020

Mr. William Moler
President and Chief Executive Officer
Tallgrass Energy Partners, LP
2400 W. 115th Street, Suite 350
Leawood, KS 66221-2609

CPF 3-2020-1007W

Dear Mr. Moler:

On May 7 – 11, 2019 and December 4 – 6, 2018, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Tallgrass Energy Partners, LP's (Tallgrass) procedures and records for Control Room Management in Lakewood, Colorado.

As a result of the inspection, it is alleged that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violation is:

- 1. §192.805 Qualification Program**
Each operator shall have and follow a written qualification program. The program shall include provisions to:

(a) . . .

(c) Allow individual that are not qualified pursuant to the subpart to perform a cover task if directed and observed by an individual that is qualified.

Tallgrass failed to follow its written Operator Qualification (OQ) program by allowing an individual who was not qualified to perform a covered task without being directed and observed by a qualified individual. Specifically, Tallgrass' Gas Control Room staff allowed an unqualified trainee to perform the covered task of operating three pipelines without being directed and observed by an individual that was qualified.

Tallgrass' OQ program requires 1:1 span of control for Gas Pipeline Controllers. Additionally, Tallgrass' Operation and Maintenance Manual, 1100_GL Section 10.2, describes the following as Tallgrass' gas console staffing requirement: "There is a total of 2 gas consoles (REX/TPC and TIGT) in the OCC. There is a total of 11 gas Controllers, including 1 Lead. Gas Controllers may at times include Trainees, but at least one qualified Controller will be on shift at any given time. Each Controller is qualified to run both consoles, and as part of the work schedule, rotate back and forth between the consoles on a regular basis. There are two Gas Controllers on duty per shift. One Controller has primary responsibility for the TIGT console, and the other Controller has primary responsibility for the REX/TPC console. The two consoles are typically run separately and do not share control."

Tallgrass explained to the PHMSA inspector that during the training period of controllers, prior to qualification, the trainee operated a separate system of Tallgrass. While the qualified controller was in the same room, he did not continuously observe and monitor the pipeline conditions nor direct and observe the actions of the controller trainee. During this time, the qualified controller was engaged in monitoring and operating a separate system. While Tallgrass contended the qualified controller was in the same room as the trainee and therefore could respond to the console control if needed, it was not a true 1:1 span of control as both the qualified controller and trainee were functioning as independent controllers. Therefore, Tallgrass violated §192.805(c) by allowing an individual who was not qualified nor was directed and observed by a qualified individual perform a covered task.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$213,268 per violation per day the violation persists, up to a maximum of \$2,132,679 for a related series of violations. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 for a related series of violations. We have reviewed the

circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in Tallgrass being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 3-2019-1007W**. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,

Gregory A. Ochs
Director, Central Region, OPS
Pipeline and Hazardous Materials Safety Administration

Cc: Jennifer Eckels, Manager of Compliance, Tallgrass Interstate Gas Transmission, 370 Van Gordon, Street, Lakewood, CO 80228 jennifer.eckels@tallgrassenergyllp.com