

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY**

In the Matter of)	
Tallgrass Interstate Gas Transmission, LLC,)	CPF No. 3-2021-043-NOPV
Respondent.)	

**REQUEST FOR INFORMAL CONFERENCE, REQUEST FOR HEARING AND
PRELIMINARY STATEMENT OF ISSUES FOR NOPV ITEMS 6, 9, 10, 11 and 12
WRITTEN RESPONSE TO NOPV ITEMS 1, 2, 3, 4, 5, 7 and 8**

I. Request for Informal Conference

Pursuant to 49 U.S.C. § 60117(b)(1)(B), Tallgrass Interstate Gas Transmission, LLC (Tallgrass) respectfully requests an informal conference to discuss Items 6, 9, 10, 11 and 12 of the above-referenced, December 7, 2021 Notice of Probable Violation, Proposed Civil Penalty, and Proposed Compliance Order (NOPV). Tallgrass is hopeful that through further discussion of the facts and circumstances around these Items that these portions of the NOPV can be addressed without a hearing.

II. Request for Hearing

Pursuant to 49 C.F.R. §§ 190.208(a)(4), 190.208(b)(4), and 190.211(b), Tallgrass respectfully requests an in-person hearing regarding the proposed civil penalties and proposed compliance orders for Items 6, 9, 10, 11 and 12. If a hearing is held, Tallgrass will be represented by counsel at the hearing.

III. Preliminary Statement of Issues

In the informal conference, and at the hearing if one is necessary, Tallgrass intends to raise the following issues:

A. Item 6 – 49 C.F.R. § 192.481 Atmospheric Corrosion Control Monitoring

1. Whether the proposed compliance order is necessary given the remedial efforts that Tallgrass has already undertaken.
2. Whether PHMSA should reduce the proposed civil penalty for this Item.

B. Item 9 – 49 C.F.R. § 192.605(b)(8) Periodic Review of O&M Manual

1. Whether the proposed compliance order is overbroad, in that it proposes to require audits of conformity with the entire operations and maintenance procedure when the underlying facts related to this Item involve specific corrosion issues.
2. Whether Tallgrass has already provided to PHMSA, via a series of self-report communications and data submittals, with extensive information regarding the causes of the corrosion control deficiencies, steps taken to remedy them, and plans for additional remedial work.
3. Whether a proposed compliance order that proposes to require extensive internal auditing and mandatory self-reporting of any compliance findings to PHMSA is consistent with applicable law and regulation, is necessary, is reasonable, and is consistent with PHMSA's well-considered policy of encouraging candid, internal self-evaluation and self-reporting.
4. Whether the proposed compliance order must be withdrawn.

C. Item 10 – 49 C.F.R. § 192.706(a) Leakage Surveys

1. Whether the timing and scope of the proposed compliance order should be modified to account for Tallgrass' ongoing efforts to upgrade leak detection equipment.
2. Whether PHMSA should reduce the proposed civil penalty based on PHMSA's guidance on the types of leak detection equipment that operators may use, and given Tallgrass' past efforts with regard to leak detection.

D. Item 11 – 49 C.F.R. § 192.805(h) Operator Qualification

1. Whether the timing of the proposed compliance order should be adjusted to account for Tallgrass' ongoing efforts to upgrade leak detection equipment.

E. Item 12 – 49 C.F.R. § 192.911(a) Integrity Management

1. Whether Tallgrass had identified the High Consequence Areas (HCA) listed in the NOPV prior to 2020.
2. Whether PHMSA should reduce the proposed civil penalty for this Item and make certain factual clarifications in the Final Order.
3. Whether the terms of the proposed compliance order have already been completed, making the order no longer necessary.

IV. Written Response to NOPV Items 1, 2, 3, 4, 5, 7 and 8

Pursuant to 49 C.F.R. §§ 190.208(a)(2) and 190.208(a)(3), Tallgrass provides a written response to Items 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12 of the NOPV.

A. Item 1 – 49 C.F.R. § 191.5(c)

Tallgrass does not contest this warning Item.

B. Items 2, 3, 4, 5, 6 and 8 – 49 C.F.R. §§ 192.463(a), 192.465(a), 192.465(b), 192.465(c), 192.605(a).

The above-listed Items all relate to Tallgrass' 2020 self-report of external corrosion control survey and data issues. Tallgrass does not contest these Items. However, Tallgrass respectfully requests that the Final Order in this case reflect the Company's proactive efforts to resolve the underlying issues and improve its practices and procedures. Those efforts are summarized below.

As listed in detail in the Company's self-report communications, after discovering these issues, Tallgrass took steps to verify that they did not present safety concerns. Specifically, Tallgrass conducted un-planned close interval surveys (CIS) and reads of cathodic protection (CP) test stations, as well as an analysis of In-Line Inspection and other inspection and repair data on affected pipeline segments. The results of these efforts confirmed that there were no immediate corrosion-related safety concerns. Tallgrass then began several remedial actions to prevent recurrence of the corrosion survey and data issues, including additional training, improved corrosion data collection and tracking tools, review and amendment of relevant corrosion procedures, establishment of an annual corrosion program performance review meeting, quarterly data reviews, addition of personnel, and additional CIS and CP system improvements.

C. Item 7 – 49 C.F.R. § 192.605(a) Operations and Maintenance Procedures

Tallgrass respectfully requests that this warning item be withdrawn. This Item was a result of a discrepancy between different Company records regarding the pipe materials properties for

certain pipe installed in the Trenton Lateral. Tallgrass undertook efforts to resolve this discrepancy by undertaking a series of pipeline digs. These digs confirmed that the information captured through the x-ray location index, pipe feature data obtained during inspections, survey data, and photos taken during construction is accurate. The purpose of the digs was to confirm coating type, as there were only two pipe types (FBE coated and ARO coated pipe) purchased and installed on the Trenton lateral. Tallgrass also conducted ultrasonic wall thickness testing during the digs. Tallgrass' PODS pipeline data model was updated to reflect that these properties are now confirmed for this pipe.

Respectfully submitted this 6th day of
January 2022.

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