

December 2, 2020

VIA ELECTRONIC MAIL TO: kenneth_grubb@kindermorgan.com

Mr. Kenneth W. Grubb
Chief Operating Officer
Kinder Morgan, Inc.
1001 Louisiana, Suite 1000
Houston, Texas 77002

Re: CPF No. 4-2020-1009

Dear Mr. Grubb:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation against your subsidiary, Natural Gas Pipeline Company of America, LLC, and assesses a civil penalty of \$31,400. When the civil penalty has been paid, this enforcement action will be closed. Service of the Final Order by electronic 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: Ms. Mary McDaniel, Director, Southwest Region, Office of Pipeline Safety, PHMSA
Mr. Jaime Hernandez, Director, Engineering, Compliance/Codes and Standards, Kinder Morgan, Inc., jaime_hernandez@kindermorgan.com
Ms. Jessica Toll, Esq., Assistant General Counsel, Kinder Morgan, Inc., jessica_toll@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)

Natural Gas Pipeline Company of America, LLC,)
a subsidiary of Kinder Morgan, Inc.,)

Respondent.)
_____)

CPF No. 4-2020-1009

FINAL ORDER

On September 30, 2020, pursuant to 49 C.F.R. § 190.207, the Director, Southwest Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Kinder Morgan, Inc., on behalf of Natural Gas Pipeline Company of America, LLC (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 192 and proposed a civil penalty of \$31,400. Respondent did not contest the allegations of violation or the proposed civil penalty.

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

49 C.F.R. § 192.805 (**Item 1**) — Respondent failed to ensure through evaluation that personnel were qualified in performing welding inspection tasks.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent. In accordance with 49 C.F.R. § 190.223, Respondent is assessed a civil penalty amount of **\$31,400**.

Payment of the civil penalty must be made within 20 days of service. Federal regulations (49 C.F.R. § 89.21(b)(3)) require such payment to be made by wire transfer through the Federal Reserve Communications System (Fedwire), to the account of the U.S. Treasury. Detailed instructions are contained in the enclosure. Questions concerning wire transfers should be directed to: Financial Operations Division (AMK-325), Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 S MacArthur Blvd, Oklahoma City, Oklahoma 79169. The Financial Operations Division telephone number is (405) 954-8845.

Failure to pay the \$31,400 civil penalty will result in accrual of interest at the current annual rate in accordance with 31 U.S.C. § 3717, 31 C.F.R. § 901.9 and 49 C.F.R. § 89.23. Pursuant to

those same authorities, a late penalty charge of six percent (6%) per annum will be charged if payment is not made within 110 days of service. Furthermore, failure to pay the civil penalty may result in referral of the matter to the Attorney General for appropriate action 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.

December 2, 2020

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued