

WARNING LETTER

**VIA ELECTRONIC MAIL TO: Kenneth_grubb@kindermorgan.com
Tom_Otjen@kindermorgan.com; Jaime_Hernandez@kindermorgan.com**

October 10, 2024

Kenneth Grubb
Chief Operating Officer
Colorado Interstate Gas Co.
1001 Louisiana St.
Suite 1000
Houston, TX 77002

CPF 2-2024-016-WL

Dear Mr. Grubb:

From June 4, 2023, to July 14, 2023, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected Colorado Interstate Gas (CIG) procedures, records, and facilities in Kansas.

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 item inspected and the probable violation is:

1. § 192.706 Transmission lines: Leakage surveys.

Leakage surveys of a transmission line must be conducted at intervals not exceeding 15 months, but at least once each calendar year. However, in the case of a transmission line which transports gas in conformity with § 192.625 without an odor or odorant, leakage surveys using leak detector equipment must be conducted—

(a) In Class 3 locations, at intervals not exceeding 7 1/2 months, but at least twice each calendar year; and

(b) In Class 4 locations, at intervals not exceeding 4 1/2 months, but at least four times each calendar year.

CIG failed to meet 49 C.F.R. § 192.706 because it did not perform leakage surveys of a transmission line at the required intervals. During the inspection, CIG could not produce records demonstrating that leak surveys were conducted between 2019 and 2023 for the line 226 railroad crossing located at Highway 54 and 17th Avenue. Additionally, CIG personnel confirmed in a subsequent email on August 10, 2023, that "...we did not complete the Highway and Railroad Leakage Survey Class 1 and 2 on the Cheyenne Plains line 226 A from Valve 22 to the end of the line for second period in 2022."

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$266,015 per violation per day the violation persists, up to a maximum of \$2,660,135 for a related series of violations. For violation occurring on or after January 6, 2023 and before December 28, 2023, the maximum penalty may not exceed \$257,664 per violation per day the violation persists, up to a maximum of \$2,576,627 for a related series of violations. For violation occurring on or after March 21, 2022 and before January 6, 2023, the maximum penalty may not exceed \$239,142 per violation per day the violation persists, up to a maximum of \$2,391,142 for a related series of violations. For violation occurring on or after May 3, 2021 and before March 21, 2022, the maximum penalty may not exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679.

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(s) identified in this letter. Failure to do so will result in Colorado Interstate Gas Co. 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 2-2024-016-WL**. 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,

James A. Urisko
Director, Southern Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration