



Via Email to Gregory.Ochs@DOT.gov

January 12, 2022

Mr. Gregory A. Ochs
Director, Central Region
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
901 Locust Street, Suite 462
Kansas City, MO 64106

**Re: CPF No. 3-2021-087-NOPV
Written Response**

Dear Mr. Ochs:

Tallgrass Energy, LP (Tallgrass or the Company) is in receipt of the Notice of Proposed Violation and Proposed Civil Penalty (NOPV) that the Pipeline and Hazardous Materials Safety Administration (PHMSA or the Agency) issued in the above-captioned case on December 13, 2021. Tallgrass requests that PHMSA consider the explanations below, and the attached documents, in developing the Final Order in this case.

Tallgrass is requesting confidential treatment of the attached documents in accordance with 5 U.S.C. §§ 552(b)(4) and 552(b)(7)(F).

Item 1:

Tallgrass does not contest this Item. However, the Company respectfully requests that PHMSA clarify in its Final Order that three of the six instances of missing line markers did not constitute violation of the REX Waiver Condition 33. Specifically, Tallgrass provides additional information with the following three locations at issue in the NOPV:

1. **Line segment Bertrand to Steele City (Steele City 2nd street):** this location is in an agricultural area (hay field). The line-of-sight requirement in Waiver Condition 33 does not apply in agricultural areas. Therefore, Tallgrass requests that PHMSA remove this instance of violation when issuing the Final Order. Please see attached for documentation that shows this location is in an agricultural area.
2. **Near the Southern Star Tap on Southeast Mt. Zion Road and Highway V:** this location is in an area that is not subject to the REX waiver. This area has been a Class 2 location since construction as it was constructed according to the 0.6 design factor required under §192.111. Therefore,

Tallgrass requests that PHMSA remove this instance of violation when issuing the Final Order. Please see attached for documentation that shows this location is not in a REX Waiver segment.

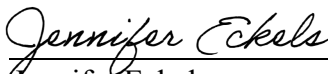
3. **Near Lost Creek, Agency, MO and Robin Drive:** this location is in an area that is not subject to the REX waiver. This area has been a Class 2 location since construction as it was constructed according to the 0.6 design factor required under §192.111. Therefore, Tallgrass requests that PHMSA remove this instance of violation when issuing the Final Order. Please see attached for documentation that shows this location is not in a REX Waiver segment.

Item 2:

Tallgrass does not contest the allegation. The Company has completed additional atmospheric surveys of the subject piping under thermal insulation at Steele City and at the wall penetrations at Turney and found no atmospheric corrosion. Tallgrass will submit additional information and documentation in response to the compliance terms of the Final Order.

Tallgrass shares PHMSA's commitment to pipeline safety and continuous program improvement. Please let me know if you have any questions or would like to discuss this matter further.

Sincerely,



Jennifer Eckels
Manager - Compliance
370 Van Gordon Street
Lakewood, CO 80228
Phone: (303) 763-3486

CC: Tallgrass: Byron Gale, Jay Meyers, Jarid Kling, Nicole Longwell, Crystal Heter
PHMSA: Valerie Schwing, James Bunn

Enclosures: Attachment 1 – Identified Agricultural Area at the Steele City 2nd Street Location
Attachment 2 – Non-waiver Class 2 at the Mt. Zion Road and Highway V Location
Attachment 3 – Non-waiver Class 2 at the Agency and Robin Drive Location