

April 26, 2023

VIA ELECTRONIC MAIL TO: matt@tallgrass.com

Mr. Matthew Sheehy
President and Chief Executive Officer
Tallgrass Energy, LP
370 Van Gordon Street
Lakewood, Colorado 80228

Re: CPF No. 3-2022-043-NOPV

Dear Mr. Sheehy:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and finds that the civil penalty amount of \$29,700 has been paid in full. This case is now closed. Service of the Final Order by e-mail is effective upon the date of transmission and acknowledgement of receipt 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: Mr. Gregory A. Ochs Director, Central Region, Office of Pipeline Safety, PHMSA
Ms. Jennifer Eckels, Manager, Compliance, Tallgrass Energy, jennifer.eckels@tallgrass.com
Ms. Crystal Heter, Chief Operating Officer, Tallgrass Energy, crystal.heter@tallgrass.com
Mr. Brad Armsbury, Compliance Engineer, Tallgrass Energy, brad.armsbury@tallgrass.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

**Rockies Express Pipeline, LLC,
a subsidiary of Tallgrass Energy, LP,**

Respondent.

CPF No. 3-2022-043-NOPV

FINAL ORDER

On September 22, 2022, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Rockies Express Pipeline, LLC (Respondent), a subsidiary of Tallgrass Energy, LP. 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 \$29,700. Respondent did not contest the allegations of violation, and submitted information regarding actions taken to address the items described in the Notice and to improve its practices and procedures.¹ Respondent paid the proposed civil penalty on October 11, 2022.

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

49 C.F.R. § 192.465(a) (**Item 1**) – Respondent failed to test each pipeline under cathodic protection at least once each calendar year, but with intervals not exceeding 15 months.

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 the proposed civil penalty amount of \$29,700, which Respondent has already paid in full.

¹ See Respondent's October 21, 2022, reply to the Notice; *available online at*: https://primis.phmsa.dot.gov/comm/reports/enforce/CaseDetail_cpf_32022043NOPV.html?nocache=5170. In short, Respondent stated that after discovering the issue, it conducted analyses to confirm there were no corrosion-related safety issues that required remediation and also implemented remedial actions to prevent the recurrence of the corrosion survey and data issues, including additional training, improvements to procedures, and other updates.

Warning Item

With respect to **Item 2**, the Notice alleged a probable violation of 49 C.F.R. § 192.465(c) but did not propose a civil penalty or compliance order for this item. Therefore, this is considered to be a warning item. If OPS finds a violation of this provision in a subsequent inspection, Respondent may be subject to future enforcement action.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

April 26, 2023

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued