



U.S. Department  
of Transportation  
Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

June 18, 2020

Mr. Kenneth W. Grubb  
Chief Operating Officer  
Kinder Morgan Natural Gas Division  
1001 Louisiana Street, Suite 1000  
Houston, Texas 77002

**Docket No. PHMSA-2006-25803**

Dear Mr. Grubb:

On February 5, 2020, pursuant to 49 Code of Federal Regulations (CFR) § 190.341, the Kinder Morgan Louisiana Pipeline, L.L.C. (KMLP) applied to the Pipeline and Hazardous Materials Safety Administration (PHMSA) requesting a modification of the special permit, PHMSA-2006-25803, originally issued on April 13, 2007. This existing special permit waives compliance with the 49 CFR §§ 192.111(a) and 192.201(a)(2)(i) limiting the maximum allowable operation pressure for Class 1 locations on the KMLP pipeline. The KMLP request would change special permit **Condition 28(a)** by modifying the pipeline gas stream quality requirements that limit the amount of hydrogen sulfide (H<sub>2</sub>S) in the gas stream.

The special permit segment is defined as the Leg 1 segment of the KMLP system, which is a 137-mile, 42-inch diameter gas transmission pipeline, originating at the Sabine Pass, Texas Liquefied Natural Gas Terminal, and extending to Evangeline Parish, Louisiana. Approximately 92 percent of the special permit segment is in a Class 1 location as defined by 49 CFR § 192.5.

On March 27, 2020, PHMSA published a Federal Register notice (85 FR 17378) announcing the special permit modification request. The special permit modification request and all other pertinent documents are available for review in Docket No. PHMSA-2006-25803 in the Federal Docket Management System located at [www.regulations.gov](http://www.regulations.gov).

PHMSA received three (3) public (anonymous) comments<sup>1</sup> to the docket. The first comment submitted on April 27, 2020, only contained a greeting (“Hi”). The second comment was submitted on April 28, 2020, stating opposition to allow an increase in H<sub>2</sub>S as this would result

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<sup>1</sup> <https://www.regulations.gov/searchResults?rpp=25&po=0&s=PHMSA-2006-25803>.

in a higher corrosion rate in the special permit segment and lead to a potential pipeline failure. Having considered this comment, PHMSA finds the original KMLP special permit was granted before PHMSA issued the Alternate Maximum Allowable Operating Pressure Rule in 49 CFR §§ 192.112, 192.328, and 192.620 in 2008. The requested modification of the KMLP special permit would be consistent with the maximum H<sub>2</sub>S level allowed in 49 CFR § 192.620(d)(5)(v)(C), which does not require the implementation of a pigging and inhibitor injection program to address deleterious gas stream constituents when the H<sub>2</sub>S has a 0.50 grains per 100 standard cubic feet or 8 parts per million, maximum limit. Therefore, the increase in the amount of H<sub>2</sub>S in the pipeline gas stream from 0.25 grains to 0.5 grains per 100 standard cubic feet would meet the current requirements in 49 CFR § 192.620(d)(5)(v)(C).

The third comment was submitted on March 30, 2020, recommending that PHMSA not issue the special permit modification and enact the New Green Deal. The commenter did not state why he or she disagrees with the modification of the existing special permit. In addressing this comment, PHMSA performs extensive analysis on special permit applications. A special permit is granted to waive or modify compliance with a regulatory requirement and must be consistent with pipeline safety. In its review, PHMSA determined that modifying this special permit would be consistent with public safety and the protection of the environment. PHMSA included conditions in KMLP's special permit requiring alternative safeguards to mitigate safety and environmental risks.

PHMSA has reviewed all operational and maintenance data submitted by KMLP for the special permit segment. PHMSA finds that there has been no material change in conditions and that KMLP continues to meet the terms of the special permit. Based on the information provided by KMLP, PHMSA has determined that modification of the special permit would not be inconsistent with pipeline safety. The modifications to **Condition 28(a)** are *italicized* and underlined below.

**Condition 28: Gas Quality Monitoring:** Gas quality monitoring equipment must be installed to permit the operator to manage and limit the introduction of contaminants and free liquids into the pipeline. An acceptable gas quality monitoring and mitigation program must be instituted to not exceed the following limits:

- (a) H<sub>2</sub>S (0.50 grains per 100 standard cubic feet or 8 parts per million, maximum);
- **Note:** Prior to this change, **Condition 28(a)** of the special permit, PHMSA-2006-25803,<sup>2</sup> had an H<sub>2</sub>S limit of 0.25 grains per 100 standard cubic feet or 4 parts per million, maximum.

**Accordingly, pursuant to 49 CFR § 190.341, by this Order, and as outlined in the existing special permit, PHMSA grants the modification of PHMSA-2006-25803 – Condition 28(a), to KMLP to continue its operation of the Leg 1 segment of the KMLP pipeline located in**

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<sup>2</sup> <https://www.phmsa.dot.gov/pipeline/special-permits-state-waivers/phmsa-2006-25803>.

**Louisiana. This special permit Order continues to waive compliance with certain Federal regulations in 49 CFR §§ 192.111 and 192.201(a)(2)(i) for Class 1 locations.**

My staff would be pleased to discuss this special permit or any other regulatory matter with you. Senth White, Director of Engineering and Research Division, may be contacted at 202-366-2415, for technical matters; and James Urisko, Director, Office of Pipeline Safety, PHMSA Southern Region may be contacted at 404-832-1150, for operational matters specific to this special permit.

Sincerely,

ALAN KRAMER MAYBERRY  
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Alan K. Mayberry,  
Associate Administrator for Pipeline Safety