



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

October 3, 2023

Ms. Crystal Heter  
Chief Operating Officer  
Tallgrass Energy, LP  
370 Van Gordon Street  
Lakewood, Colorado 80228

**Re: Docket No. PHMSA-2022-0044**  
**Special Permit from October 3, 2023, to October 3, 2033**

Dear Ms. Heter:

On March 11, 2022, pursuant to 49 Code of Federal Regulations (CFR) § 190.341, Rockies Express Pipeline, LLC (REX)<sup>1</sup> applied to the Pipeline and Hazardous Materials Safety Administration (PHMSA) for a special permit. REX requested a special permit to waive compliance with 49 CFR § 192.611 for Class 1 to Class 2 location changes on 20 pipeline segments for approximately 4.25 miles of 42-inch diameter gas transmission pipelines (Pipelines) located in Buchanan County, Missouri; Macon and Douglas Counties, Illinois; Morgan County, Indiana; and Butler, Middletown, Warren, Pickaway, Fairfield, Perry, and Muskingum Counties, Ohio. A gas transmission pipeline operator with an alternative maximum allowable operating pressure (MAOP) special permit<sup>2</sup> is required to either lower the pressure or replace the pipe to meet 49 CFR § 192.611.

On May 27, 2022, PHMSA published a Federal Register notice (87 FR 32233) announcing the special permit request. The Special Permit Request letter, Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI), Special Permit Analysis and Findings (SPAF), and all other pertinent documents for this special permit are available in Docket No. PHMSA-2022-0044 in the Federal Docket Management System located at [www.regulations.gov](https://www.regulations.gov).<sup>3</sup>

PHMSA grants this special permit (enclosed) based on the information provided by REX and the findings set forth in the SPAF, FEA, and FONSI. This special permit provides relief from certain

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<sup>1</sup> Rockies Express Pipeline, LLC is owned by Tallgrass Energy, LP.

<sup>2</sup> REX is currently operating under alternative MAOP special permit number PHMSA-2006-23998.

<sup>3</sup> <https://www.regulations.gov/docket?D=PHMSA-2022-0044>.

provisions of the Federal pipeline safety regulations for the Pipelines and requires REX to comply with conditions and limitations designed to maintain pipeline safety as defined in the special permit. If REX elects not to implement the special permit conditions, REX must notify PHMSA within 60 days and comply with 49 CFR § 192.611 within 18 months of the date of this letter. Note that in accordance with 49 CFR § 190.341(j), PHMSA reserves the right to revoke, suspend, or modify this special permit if circumstances occur in which its continuance would be inconsistent with pipeline safety.

In granting REX's request, PHMSA notes the Pipeline is already subject to an existing PHMSA special permit at Docket No. PHMSA-2006-23998 for an Alternative Maximum Allowable Operating Pressure. PHMSA emphasizes that the required conditions specified for the twenty (20) special permit segments addressed in Docket PHMSA-2022-0044 will control, superseding any inconsistent requirements applicable to the 20 pipeline segments in the previous special permit (PHMSA-2006-23998). The implementation date of the special permit conditions for the twenty (20) special permit segments is the date this letter is signed.

My staff is available to discuss this special permit or any other regulatory matter with you. Mary McDaniel, Acting Director of PHMSA Engineering and Research Division, may be contacted at 713-272-2847, on technical matters; and Gregory Ochs, Director, Office of Pipeline Safety, Central Region, may be contacted at 816-329-3814, for operational matters specific to this special permit.

Sincerely,

Alan K. Mayberry  
Associate Administrator for Pipeline Safety

Enclosure: Special Permit – PHMSA-2022-0044