

Alan Watkins

From: Lynn Watkins <lynn@watkinsprojects.com>
Sent: Monday, December 9, 2019 11:29 AM
To: David Hoover; Bo Bass; 'Baumgartner, John'
Cc: 'Alan Watkins'
Subject: Variance Request
Attachments: Variance Request Letter 6 December 2019.pdf; Gas Gathering incidents charts.pdf; Overall Site Plan.pdf; Kinder Morgan response on odorization.pdf; Energy Transfer Response re odorization.pdf; Typical Gate & Fence requirement.pdf

All,

We completed the take down of the shipping containers per the request of Andy Mann and the homeowners at the meeting last week. They have been advised that this is an interim measure and that the boxes may need to be set back up if need be in the future but for now Andy has expressed appreciation for getting them down for now. Attached please find a request for variances on the odorization and the deferral of the landscaping that we want to have on the December 17th City Council Meeting. We may tweak this request if need be but subject to final comments it will hopefully be sufficient. Please let us know if you receive this. We are continuing to have difficulty getting the City e-mail to accept our documents. I will call to verify.

Thank you,

Lynn

Pipeline/Production Permit

PROPOSED VARIANCE REQUEST December 17, 2019

42-254

42-255

Defer landscaping and opaque fence requirements until such time as the surrounding subdivision is constructed. A fence to secure the site will be provided at this time.

At the current time the livestock and wildlife population is such that it is wasteful to do finished landscaping in the middle of a 1,700 acre cow pasture. At such time as the subdivision is developed around the site there are stringent requirements to construct a brick fence and extensive landscaping to match the ultimate subdivision design which has not been determined. Attached please find photographs of the sample design that is required by contract with the property owner/developer.

42-383

Delete the requirement for odorization due to pipeline company refusal to allow injection of gas containing an odorizing agent.

There are no requirements in the Texas Railroad Commission rules and regulations for gathering lines to be odorized and the practical aspects of injecting and then removing an odorant 2,500' away is not commercial reasonable. To odorize a small gathering line that ties in to a large gas transmission line in the immediate area of the future development does not make sense. This line lies alongside another large gas transmission line 15' away. Neither of these lines are odorized and neither will allow odorized gas to be injected in to their lines. This is simply not practical and is not commercially reasonable. A copy of the Railroad Commission map showing pipelines in the area is included herewith. Also included is an aerial screen shot showing the location of all of the sites and the pipeline locations. Responses from both pipeline companies are attached.

Also included is a chart from the Pipeline and Hazardous Materials Safety Agency (PHMSA) which is an agency in the United States Department of Transportation. This Federal agency, along with the Texas Railroad Commission at the state level are the agencies charged with near exclusive regulatory authority for pipelines. In the notes on the chart it shows that there are approximately 240,000 miles of gathering line covered. This chart shows that there were no serious injuries and no fatalities resulting from gathering lines over the last twenty years. Research also indicates no injuries or fatalities in the ten-year period prior to the current chart.

<i>Gathering Pipelines Incidences</i>	Incident Count	Fatalities	Injuries
3 Year Average - (2016-2018)	1	0	0
5 Year Average - (2014-2018)	1	0	0
10 Year Average - (2009-2018)	2	0	0
20 Year Average - (1999-2018)	3	0	0

Source: Pipeline and Hazardous Materials Safety Administration (US Department of Transportation)

[Who regulates gathering pipelines?](#)

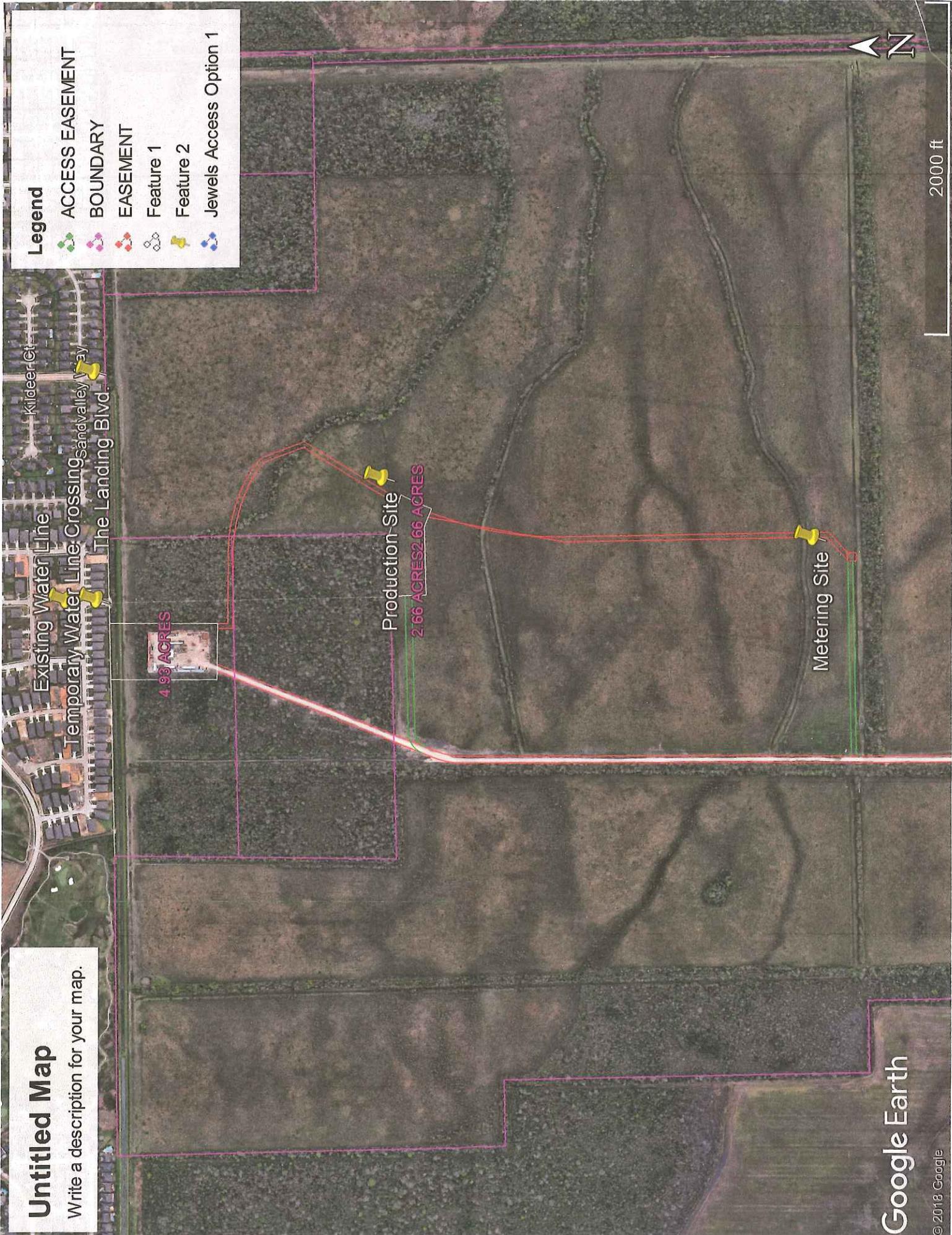
Both the federal government and the states have jurisdiction over gathering pipelines, which is estimated to include 240,000 miles of onshore gathering pipelines. The Pipeline and Hazardous Materials Safety Administration regulates both natural gas gathering pipelines and hazardous liquid gathering pipelines.

Untitled Map

Write a description for your map.

Legend

- ACCESS EASEMENT
- BOUNDARY
- EASEMENT
- Feature 1
- Feature 2
- Jewels Access Option 1



From: Cody, Jim [mailto:Jim_Cody@kindermorgan.com]
Sent: Thursday, October 10, 2019 12:06 PM
To: 'Craig New'
Cc: John Kaler

We have pipelines all around the area and we do not odorize the gas in our pipelines. The only requirement on our gas that is sold to a distribution company (such as CenterPoint and UniGas), is that one of the parties must provide Odorization.

We will not except gas that has been odorized. I don't know of a process that would remove the chemical.

All producer gas that we purchase is odorant free.

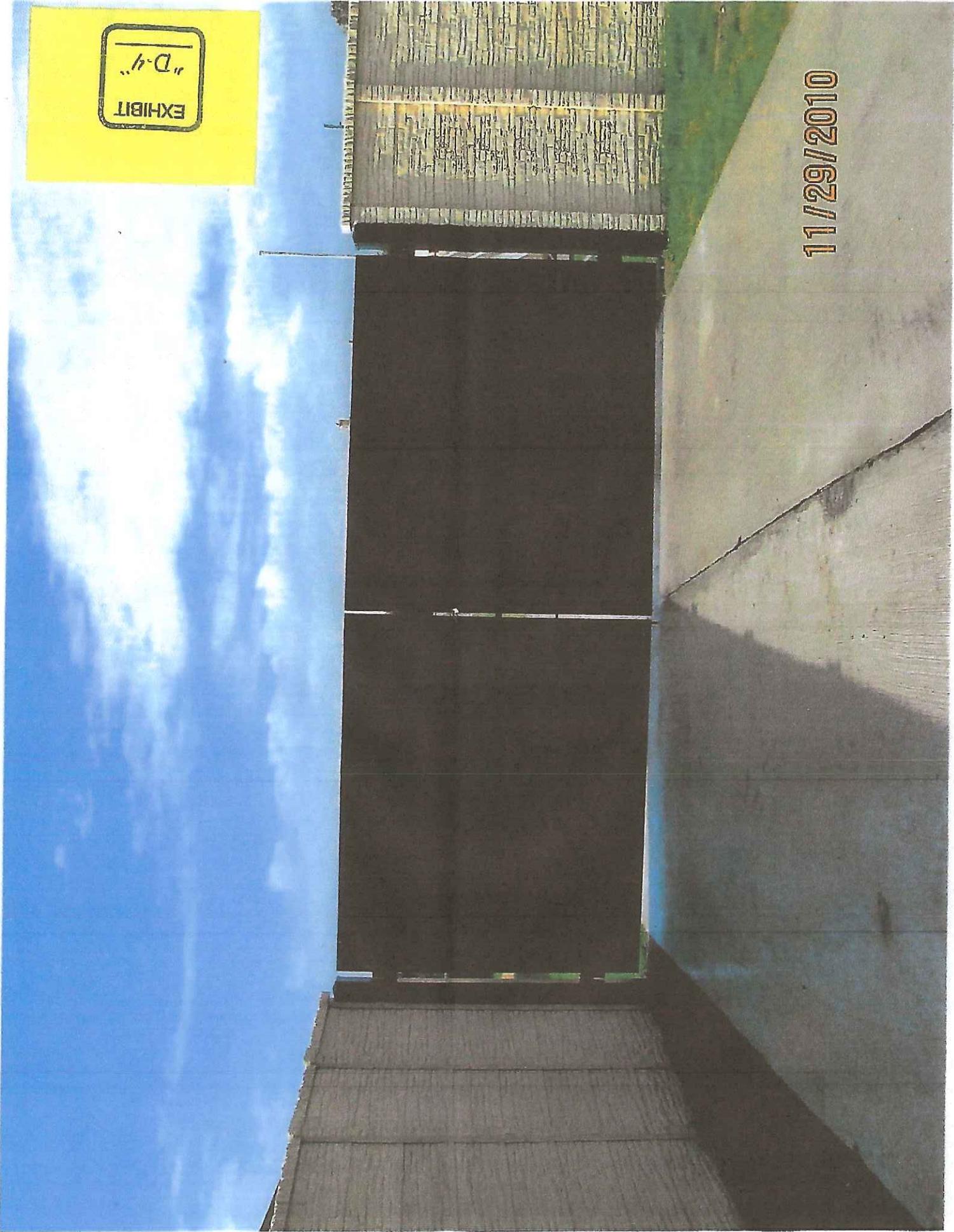
In that area, odorized gas would need to be sold to CenterPoint.

Thanks,

Jim

EXHIBIT
"D-4"

11/29/2010



Lynn,

Below is the correspondence that we received today from Energy Transfer informing us that they would not be able to take our gas should we put odorant in it as per the City's ordinance.

Thanks,

Paul

From: Gary McAtee <gmcatee@gulfcoastenergyinc.com>
Sent: Thursday, August 29, 2019 2:03 PM
To: Paul Mueller <pmueller@muelrexp.com>
Subject: FW: Mueller Expl Tidwell # 1 Gas
Importance: High

[Here we go!](#)

From: Mueller, Gregory [<mailto:Gregory.Mueller@energytransfer.com>]
Sent: Thursday, August 29, 2019 11:47 AM
To: Gary McAtee
Subject: RE: Mueller Expl Tidwell # 1 Gas
Importance: High

Gary

The pipeline that the new well would come into predominantly carries gas for the local plants in the Texas City area. Some of the plants cannot take gas that has odorant in it due to the processes that they use the gas for. At this time we are still trying to figure out what the future will bring to us pipelines and our customers.

I have been told that gathering lines from a well to a pipeline like ours should not have to add odorant at the wellhead into the gathering line. Your producer may want to check with a natural gas attorney or their in-house attorney to see what they can find out about the odorant issue.

That's about all that I have uncovered at this point. I tried to call my attorney but he is out today. I will try again tomorrow.

Thanks

Gregory L. Mueller
Sr. Director Producer Services
Energy Transfer
Houston Pipe Line Company LP
1300 Main Street
Houston, Texas 77002
Office 713-989-7918
Fax 713-989-1215
Cell 713-302-9094

gregory.mueller@energytransfer.com



From: Gary McAtee <gmcatee@gulfcoastenergyinc.com>
Sent: Wednesday, August 28, 2019 3:41 PM
To: Mueller, Gregory <Gregory.Mueller@energytransfer.com>
Subject: Muller Tidwell

Greg,

Please send me an Email stating the reason ETC will not be able to accept the Tidwell gas with the odorant (mercaptans) added to it.

Thanks

Gary McAtee

Gulf Coast Gas Gathering, LLC

615 N. Upper Broadway, Suite 925

Corpus Christi, Texas 78401

Office: (361) 883-3883

Fax: (361) 883-3888

Cell: (361) 813-7411

gmcatee@gulfcoastenergyinc.com