



Trailblazer Pipeline Company LLC
Rockies Express Pipeline LLC

April 29, 2024

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Request for Notice to Proceed with Construction
Trailblazer Pipeline Company LLC and Rockies Express Pipeline LLC
Docket No. CP22-468-000

Dear Acting Secretary Reese:

On October 23, 2023, the Federal Energy Regulatory Commission ("Commission") issued an order ("Order") in Docket No. CP22-468-000¹ granting a certificate of public convenience and necessity ("Certificate") to Trailblazer Pipeline Company LLC and Rockies Express Pipeline LLC (together the "Applicants") for authorization to abandon, construct, and operate certain facilities comprising its "Trailblazer Conversion Project."

On November 17, 2023 the Applicants submitted a Request for Notice to Proceed with partial construction of the Redtail Compressor Station in Kimball County, Nebraska. The Commission granted that request on December 20, 2023.

On April 8, 2024, the Applicants submitted to the Nebraska Department of Environment and Energy ("NDEE") a preconstruction notice pursuant to Nebraska Administrative Code (NAC) Title 129, Chapter 3, Section 001.01. The preconstruction notice allows construction to commence within 30 working days of submittal even though the final air permit has not been issued. The Applicants also submitted a variance request to allow construction, pursuant to the preconstruction notice, prior to the 30 working days elapsing. Nebraska Revised Statute §81-1513(1) states "Any person who owns or is in control of any plant, building structure, process, or equipment may apply to the director for a variance from rules or regulations."

The variance request was approved by the NDEE on April 25, 2024. While the preconstruction notice and the variance approval do not authorize the operation of any air emission unit by the Applicant, nor does it authorize any action which would result in a violation of other NDEE regulations, it does allow construction of the air emission unit.

¹ *Trailblazer Pipeline Company LLC and Rockies Express Pipeline LLC*, 185 FERC ¶ 61,039 (October 23, 2023).

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In light of this, the Applicants supplement their Request for Notice to Proceed with the remainder of the construction associated with the Redtail Compressor Station, not including the operation of any air emission unit by the Applicant. The Applicants wish to begin construction activities as soon as possible to maintain their schedule and, therefore, respectfully request written approval of this Request for Notice to Proceed by May 3, 2024.

The Applicants respectfully submit the following documents with this filing:

Appendix A: Order of Variance

Pursuant to 18 CFR § 385.2005 of the Commission's regulations, the undersigned states that he has read this filing and knows its contents, and the contents are true as stated, to the best of his knowledge, information, and belief. The undersigned possesses full power and authority to sign such filing.

Should you have any questions, please contact the undersigned at drew.cutright@tallgrass.com or 303-763-3438.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Drew Cutright', written in a cursive style.

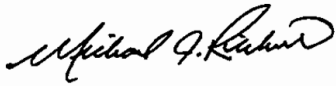
L. Drew Cutright
Vice President, Regulatory Affairs
Tallgrass Energy, LP

Authorized Representative of Trailblazer Pipeline LLC and Rockies Express Pipeline LLC

Certificate of Service

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, 18 CFR § 385.2010, I hereby certify that I have this day served the foregoing document upon each person designated on the official service lists compiled by the Secretary in the proceedings in Docket No. CP22-468-000.

Dated at Lakewood, Colorado, this 29th day of April 2024.

A handwritten signature in black ink, appearing to read "Michael J. Rinehart".

Michael J. Rinehart
Director, Certificates and Tariffs
Tallgrass Energy, LP

Authorized Representative of
Trailblazer Pipeline Company LLC and
Rockies Express Pipeline LLC

Appendix A

NDEE Order of Variance

BEFORE THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY

IN THE MATTER OF:

ROCKIES EXPRESS PIPELINE, LLC

NDEE FID# 120216

REQUEST FOR VARIANCE RECEIVED
ON APRIL 12, 2024

Case No. 3631

ORDER OF VARIANCE

COMES NOW this matter before the Director on Request for an Order of Variance (Request), pursuant to Neb. Rev. Stat. § 81-1513, submitted by Rockies Express Pipeline, LLC (Applicant), and received by the Nebraska Department of Environment and Energy (NDEE) on April 12, 2024. The Request seeks a variance from *Nebraska Air Quality Regulations*, 129 Neb. Admin. Code § 3-001.01, which allows for limited construction prior to obtaining a construction permit pursuant to a pre-construction notification. A pre-construction notification must be submitted to the Department at least thirty (30) working days prior to initiating construction, and “[i]n no case will the applicant be allowed to hook up the equipment to the exhaust stack or operate the equipment in any way that may emit any pollutant prior to receiving a construction permit.” Title 129, Chapter 3, § 001.01. Applicant requests a variance allowing construction to begin pursuant to a pre-construction notification prior to the expiration of thirty (30) working days from the date of the issuance of the pre-construction notification. Notice of the request for variance was published in the Western Nebraska Observer on April 25, 2024, in accordance with Neb. Rev. Stat. § 81-1513(4).

On December 5, 2023, Applicant submitted an initial construction permit for a new facility proposing to construct a compressor station for natural gas at County Road 2 S, Bushnell,

Kimball County, Nebraska. NDEE deemed the application to be technically complete on December 15, 2023. The Applicant submitted a pre-construction notification to NDEE by email on April 8, 2024.

The request for variance submitted by Applicant on April 12, 2024, requested authorization to begin pre-construction prior to the thirty (30) working day period elapsing as required by Title 129, Chapter 3, § 001.01.

Nebraska Administrative Code Title 129 generally prohibits the construction of any stationary source or emission unit without a construction permit issued by NDEE. However, Title 129, Chapter 3, §§ 001.01 and 001.02 allows certain sources to begin construction thirty (30) working days after submitting a pre-construction notification to NDEE if the source is not a major source under the Prevention of Significant Deterioration (PSD) program, not a major source of hazardous air pollutants (HAPs), and not located in a nonattainment area, and subject to enumerated conditions. Applicant does not propose to construct a major source under PSD, a major source of HAPs, or a stationary source in a nonattainment area.

In giving due consideration to all facts and circumstances bearing upon the reasonableness of the request for variance made by Applicant, the Director FINDS:

1. Allowing Applicant, to conduct pre-construction in accordance with Title 129, Chapter 3, §§ 001.01 and 001.02 prior to the expiration of 30 working days would not tend to endanger human health or safety as no equipment will be operated in any way that may emit any pollutant prior to receiving a construction permit.
2. A pre-construction notice could have been submitted by Applicant as early as December 15, 2024.

3. The granting of a variance from the thirty (30) working day pre-construction notification requirement found in Title 129, Chapter 3, § 001.01 would allow Applicant to mitigate any potential economic hardship by beginning construction.

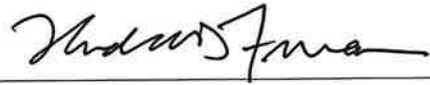
The Director FURTHER FINDS that issuance of a variance is not a guarantee of the ultimate issuance of an air quality construction permit for the associated project. Applicant assumes all risk that the construction permit may not ultimately be issued or that the construction permit may not allow operation of the project as proposed. Applicant further assumes all risk that the construction permit, if issued, may contain additional requirements resulting from NDEE's application review and public involvement process. Such requirements may include, but not be limited to additional emission control strategies or systems, compliance monitoring, and facility record-keeping.

It is therefore ORDERED and a VARIANCE is GRANTED, in accordance with Neb. Rev. Stat. § 81-1513, that Applicant may proceed with pre-construction activities as allowed under Title 129, Chapter 3 §§ 001.01 and 001.02 as of the effective date of this order. The granting of this variance does not authorize the operation of any air emission unit by Applicant, nor does it authorize any action which would result in a violation of other NDEE regulations.

IT IS FURTHER ORDERED that this Order of Variance shall terminate and expire upon final approval or disapproval of Applicant's air quality construction permit application, the passage of one year from the date signed below, or upon further order of the Director, whichever shall occur first.

Dated this 25th day of April, 2024.

BY THE DIRECTOR

A handwritten signature in black ink, appearing to read "Thaddeus Finneran", written over a horizontal line.

Thaddeus D. Finneran, Interim Director
NEBRASKA DEPARTMENT OF
ENVIRONMENT AND ENERGY