



IN THE PIPELINE

TEXAS PIPELINE ASSOCIATION NEWSLETTER

FALL 2024



FROM THE CHAIRMAN

Fall has arrived, and it is a welcome relief after another typical Texas summer. With the arrival of cooler weather, we begin to look forward to, and enjoy, our fall traditions. Some of these traditions are the arrival of hunting season, rooting for our favorite college and professional football teams and reuniting with family and friends on the Thanksgiving and Christmas holidays.

If your family is anything like mine, we are looking forward to the return of the tradition of the annual clash between the Texas Longhorns and the Texas Aggies on Nov. 30. Our family, which is about 50 percent Longhorns and 50 percent Aggies, will be watching at my mom's house as we celebrate her 89th birthday. She was born and raised in Austin and graduated from the University of Texas in 1957. Given that she is a Longhorn, I am not sure why she let my brother and me migrate to Aggieland, but it will be nice to see the return of this traditional rivalry.

Our state, our industry and our association also have a tradition and legacy we should be proud of. In particular, some of these lasting impacts to our economic prosperity that we can champion to our fellow Texans are:

- Job creation and growth
- Education funding of our citizens
- U.S. and global energy security
- The safest and cleanest way to deliver hydrocarbons to the market/consumer

Since its inception, Texas has thrived because of farming and ranching, but it has also grown substantially due to oil and natural gas extraction and transportation. These traditions are at the heart of who we are as Texans and will continue to be the foundation of our growth and the growth within the state of new and emerging industries.

The TPA team and I hope you and your families have a wonderful holiday season and enjoy your very own traditions and family gatherings. We look forward to supporting and promoting our industry during next year's Legislative session – another Texas tradition.

Larry Bell,
Kinder Morgan Intrastate Pipelines
Chairman, Texas Pipeline Association

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IN THIS ISSUE

From the Chairman	1
President's Message	2
Federal Environmental Policy Under the New Trump Administration	2
Interim Lege Report	3
Industry News	4
Share This!	4
TPA Calendar, Board and Committees	5



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PRESIDENT'S MESSAGE



Friends,

Those of us who have been around the Texas legislative process recognize the start of the holiday season in even numbered years. It means being thankful for all our blessings, but it also means it's crunch time in finalizing preparations for the upcoming Legislative session, which begins in January.

We at TPA have a lot to be thankful and grateful for, as the pipeline industry has prospered over the past year, contributing prominently to the economic well-being of the state. We are also grateful for the jobs that have been created and sustained, which can be attributed to the hard work of our member companies and their employees. Because of this dedication and hard work, we are better prepared to meet any challenges that may arise when the Legislature convenes.

Bill filing began in the Legislature on Nov. 12 and produced a record number of bills that were filed on the first day; in fact – more than 1,200. More have been filed since. While most of the bills do not relate to our industry, there are a few already that will require monitoring and defending against policies that will adversely affect the economic marvel our industry produces. While still very early in the process, TPA is working to strategically address these bills and advocate and educate on the countless benefits our industry brings to the state. We look forward to working with our member

companies throughout session to ensure our messaging reaches those that need to hear it. This will enhance the rate of success for our industry, not just during but beyond the next session.

It was great to see many of you at our October Board of Directors meeting and to discuss the financial health of TPA. While our financial position remains strong, we greatly appreciate the comments, input and forward thinking of the Board, as we move into the future. Proposals for future years starting in 2026 will be discussed at the TPA annual Board meeting in January. We hope to see you on at the C. Baldwin hotel on Jan. 10 to get final approval. In the meantime, please reach out whenever we may be of assistance or answer any questions you may have regarding the administrative proposal, or other matters relating to TPA.

In closing, I want to share how thankful I am for the member companies and their individuals who do so much in making TPA a robust association. I am also very thankful for the best staff any association could ever hope for with Jennifer Coffee O'Neil and Sheryl Jett! All of you are the strength of this association and I am privileged to work with all of you for what is, in my opinion, the best industry in Texas. Have a wonderful Thanksgiving and Happy Holidays to you and yours!

My best to you and yours,
Thure Cannon

FEDERAL ENVIRONMENTAL POLICY UNDER THE NEW TRUMP ADMINISTRATION

By Don Lewis, Duggins Wren Mann & Romero, LLP

The recent election of Donald Trump to a second term in the White House will likely have significant implications for federal environmental policy. There will probably be a marked reversal in course, from an activist and aggressive Biden Administration to a Trump Administration that will be far less prone to promulgate highly restrictive environmental rules and policies. Republican control of both houses of Congress will only increase the likelihood of a less-activist landscape in terms of federal environmental policy in the near future.

President-elect Trump has repeatedly expressed support for reducing regulatory burdens on industry caused by environmental regulations and for the increased production and use of fossil fuels. In particular, he has called for the elimination of many of the Biden Administration's climate change regulations and policies. His pick for U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin has vowed to "restore U.S. energy dominance" and "slash the red tape holding back American workers from upward economic mobility."

The new Trump Administration, in concert with a Republican-led Congress, has a significant opportunity to implement such views by passing legislation that would roll back or eliminate environmental laws currently on the books. Potential subjects of such new legislation include the portions of the so-called Inflation Reduction Act (IRA) that address methane emissions from oil and gas sources and the definition of "waters of the United States" subject to federal protections and permitting requirements. New legislation could also restrict the scope and impact of the Endangered Species Act.

It certainly can be expected that that the federal legislative process will begin to produce results that are more industry-friendly than had been the case during the previous four years. The Biden-era focus on laws, regulations and policies addressing environmental impact on overburdened communities ("environmental justice") and climate change – two key pillars of President Biden's environmental policy – will likely be a thing of the past under the new Administration and Congress.

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With regard to agency environmental regulations, the Congressional Review Act's (CRA) 60-day lookback provisions create a tool that can be used by the new Republican-led Congress to nullify rules that were finalized toward the end of President Biden's term. Votes under the CRA are by simple majority vote. When President Trump first took office in 2017, he and Congress made use of CRA provisions to nullify 16 rules finalized toward the end of the Obama Administration, including three rules pertaining to environmental issues. If a rule is nullified through CRA procedures, the rule is treated as though it had never taken effect and the agency in question is barred from promulgating a similar regulation in the future without express Congressional authorization. An example of a late-term Biden Administration rule that will be a potential target for nullification is the recently announced EPA rule on charges for "excess" methane emissions from oil and gas sources.

Of course, CRA action is not the only way to impact federal regulations; the new Administration can also enact new rules that change current policy and that remove restrictions and protections contained in rules currently in place. Indeed, it was reported that the first Trump Administration altered more than 100 environmental regulations, mostly those that had been finalized by EPA and the Interior Department. There is no reason to think the Trump Administration will be any less active in this regard when it takes office in January. The new Administration can also be expected to temporarily freeze pending rulemaking activity so that it can be reviewed; seek stays of pending litigation, including challenges to agency rules, in order to review the cases and potentially develop new legal positions; and reverse Biden Administration executive orders pertaining to climate change and energy policy.

GIVEN PRESIDENT-ELECT TRUMP'S HISTORICAL VIEWS AND RECENT STATEMENTS, WE CAN EXPECT A REDUCTION IN THE NUMBER AND STRINGENCY OF FEDERAL ENVIRONMENTAL REGULATIONS IN THE YEARS AHEAD.

The election results could also affect EPA's view on pending issues under consideration by the Texas Commission on Environmental Quality (TCEQ). For example, the EPA under the new Trump Administration might be more receptive to any potential proposal by TCEQ of less rigorous standards on existing oil and gas sources in TCEQ's upcoming rulemaking to implement Subpart 0000c emissions guidelines, based on considerations of the facility's remaining useful life and other factors (RULOF).

EPA's view on whether a facility seeking a permit is entitled to claim 98/99 percent flare destruction efficiency might also be affected by a change in EPA leadership. It is also conceivable that the Trump Administration EPA could take a different and less restrictive view on how TCEQ can satisfy federal requirements regarding contingency measures in state implementation plans and regarding TCEQ-imposed failure to attain fees required in some areas of the state by Clean Air Act Section 185.

In any event, the next few months will be busy and will no doubt bring numerous important developments in federal environmental law and policy. Given President-elect Trump's historical views and recent statements, we can expect a reduction in the number and stringency of federal environmental regulations in the years ahead.

TEXAS ELECTION RESULTS

By Anne T. Billingsley, ONEOK, Inc.



In statewide race results, Texas Railroad Commissioner Christi Craddick (R) easily defeated her Democratic opponent 56 to 38 percent.

In the Texas Legislature, the Texas House of Representatives will be comprised of 88 Republicans and 62 Democrats; 32 of those will be new members. The big win for the oil and gas industry was out of Corpus Christi, with new member Denise Villalobos (R)

flipping a long-time Democrat seat. The Texas Senate composition will be 20 Republicans and 11 Democrats, three of whom will be freshmen.

Coming up on Dec. 7, the House Republican Caucus will meet to discuss and debate among their party who will be elected the next Speaker of the Texas House. Current Speaker Dade Phelan (R-Beaumont) and challenger Rep. David Cook (R-Mansfield) have declared they both have enough votes (76 needed) to be the next speaker.

IMPORTANT DATES

2024

Nov. 12 Early bill filing opened

2025

Jan. 14 89th Legislature convenes

March 14 Non-local bill filing deadline (60th day of session)

June 2 Legislature adjourns sine die

June 22 Last day for governor to sign or veto bills

Sept. 1 Effective date for all non-vetoed or signed bills

INDUSTRY NEWS

PRESIDENT-ELECT TRUMP TAPS SEVERAL KEY NOMINEES WHO WILL AFFECT U.S. ENERGY POLICY

OIL CEO CHRIS WRIGHT TAPPED AS ENERGY SECRETARY



President-elect Donald Trump has named oil and gas industry executive Chris Wright as his nominee to lead the U.S. Department of Energy. Wright is the founder and CEO of Liberty Energy, an oilfield services firm based in Denver. He is expected to support Trump's plan to maximize production of oil and gas and to seek ways to boost reliable, affordable and dispatchable electricity. In response to Trump's nomination, Wright stated: "I am honored and grateful for the opportunity from President-elect Donald Trump to serve our country as U.S. Secretary of Energy. My dedication to bettering human lives remains steadfast, with a focus on making American energy more affordable, reliable and secure. Energy is the lifeblood that makes everything in life possible. Energy matters. I am looking forward to getting to work."

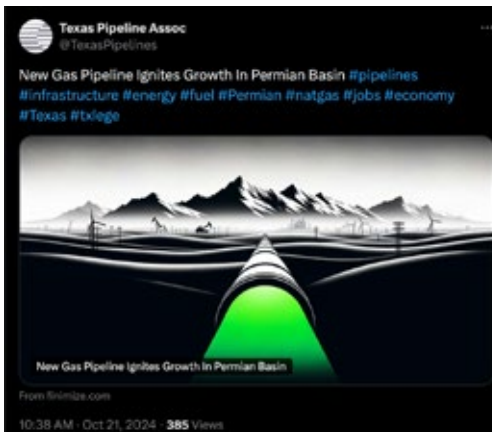
FORMER NEW YORK CONGRESSMAN LEE ZELDIN PICKED TO LEAD THE EPA



President-elect Donald Trump has selected former New York Rep. Lee Zeldin to serve as his administrator of the U.S. Environmental Protection Agency. In accepting the nomination, Zeldin posted on X: "It is an honor to join President Trump's Cabinet as EPA Administrator. We will restore U.S. energy dominance, revitalize our auto industry to bring back American jobs and make the U.S. the global leader of AI. We will do so while protecting access to clean air and water."

SHARE THIS!

HELP SPREAD THE WORD. IF YOU'RE ON X (FORMERLY TWITTER), PLEASE TAKE A FEW MINUTES TO SHARE THESE PRO-INDUSTRY TWEETS.



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TPA 2025 BOARD MEETINGS

Friday, Jan. 10, 2025 Houston, C. Baldwin

Thursday, April 10, 2025 Austin, AT&T Conference Center

Friday, July 11, 2025 Hyatt Regency Lost Pines Resort and Spa

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