



IN THE PIPELINE

TEXAS PIPELINE ASSOCIATION NEWSLETTER

SUMMER 2025



FROM THE CHAIRMAN

I hope everyone is enjoying the summer and is having a chance to spend time with family and friends. Now, I know Texas summers can be hot – and if it's not just hot, then it's hotter than hell – with a hurricane every few years along the Texas Gulf Coast. This year, I hope we have just a normal hot summer, with the occasional afternoon rain and no hurricanes.

With that in mind, as we approach these hot summer months and peak hurricane season, the pressing question for Texas residents and energy consumers is “Will the grid hold up?” Only time will tell. However, we need to start planning and building for future summers. As I detailed in the Spring edition, population and data center growth is expected to propel the state of Texas to unprecedented levels in power demand.

The good news is there were a few encouraging bills passed out of the 89th Legislative Session that will help with grid reliability and resiliency. One bill in particular, SB 2268, will help mitigate ongoing supply chain issues and appropriate another \$5 billion into the Texas Energy Fund. In my opinion, the passage of this and other bills will go a long way in preparing the state for its unprecedented population and power-demand growth.

To get these bills passed, the Texas Pipeline Association's (TPA) input and communication with members of the Texas Legislature was critical in ensuring that our views and concerns were heard. Such communication is tireless work. Our TPA staff and member companies should be congratulated for their outstanding effort.

Our Association and its members, along with our E&P partners, will continue to be ready to serve Texas' future energy challenges with reliable, cleaner burning and affordable natural gas.

Now get out there and enjoy the remaining dog days of summer!

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

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PRESIDENT'S MESSAGE



Friends,

Welcome to the summer edition of *In the Pipeline!* When we were contemplating material for this edition, we had just wrapped up a successful Texas Regular Legislative Session, which was highlighted

by successfully defeating legislation that would have negatively impacted our industry, as well as advocating and educating for measures that showcase the importance of pipelines to the Texas economy. Our sine die celebration was cut a little short when right after Gov. Greg Abbott's veto period concluded, the Governor called for a special session on a myriad of issues. Fortunately, at the time of this publication, none of the issues on the call have a direct effect on pipelines. However, TPA will remain vigilant in following the special session and continue to visit with policymakers on issues important to us.

“OUR TEAM WAS ALWAYS FRONT AND CENTER BEFORE POLICYMAKERS TO ENSURE OUR VIEWS WERE HEARD AND UNDERSTOOD.”

The success that TPA had during the regular session would not have been possible without the hard work and advocacy of TPA member companies and their representatives. On issues relating to the reliability of the Texas electric grid, critical infrastructure regulation and eminent domain, our team was always front and center before policymakers to ensure our views were heard and understood. Once again, this collaborative effort proved successful, and much gratitude and praise is warranted for this outstanding team effort. There is not a better team at the Capitol. It is an honor to work alongside so many gifted individuals in this industry.

As we all are aware, policy issues relating to our industry linger for many sessions. One issue that is certain to return for the upcoming 2027 Regular Legislative Session will be eminent domain reform in some form or fashion. TPA spearheaded a major reform effort in 2021, which was signed off by some of our adversaries and that included an agreed informal moratorium to refrain from revisiting the issue for three regular legislative sessions. That moratorium has now expired, and we expect a myriad of “ideas” to resurface, such as mandatory attorney fees and regulations that will hinder and attempt to delay or even stop vital infrastructure development. TPA will continue to address these efforts, as well as others affecting industry, and hold periodic Legislative Affairs meetings throughout the interim to discuss them. I encourage your participation in these meetings, as we work best when we work together.

As we discussed at our summer Board of Directors meeting, Harris County Judge Lina Hidalgo proposed a petition for additional safety protocols for above ground pipeline appurtenances. Harris County Commissioner Adrian Garcia's office reached out to TPA for feedback in combating the proposal, which we provided. In a nutshell, we illustrated all relevant pipeline safety law and protocols our industry follows and highlighted that the Judge's proposal was duplicative of laws already on the books. We contended that the proposal would lead to bifurcation of regulation, creating regulatory confusion with no additional safety benefit. Commissioner Garcia's office was appreciative of the information and stated that the Judge's proposal was currently not going to be addressed. The postponement of the proposal is a positive development, and we thank Commissioner Garcia and his office for all their work in assisting in this effort. I encourage those of you in Harris County that if you see Commissioner Garcia or his staff, please thank them for being friends to industry.

Our summer Board meeting was a productive and great time! At the conclusion of the meeting, we were honored to host Rep. Paul Dyson (R-Bryan), a member of the House Committee on Energy Resources, who gave us his insights on service in the legislature and what he foresees as future issues affecting industry. Thank you to all who attended that roundtable discussion and a big thank you to Rep. Dyson for his time and for being a true industry champion.

As the fall season approaches, Texas election season undoubtedly accompanies it. In order to have a strong voice in policy approaches, it is necessary to have a strong political voice to counter those wanting to undermine our industry. Please consider a contribution to Tex-Pipe PAC so we may continue to assist those policymakers who seek to keep a strong energy economy in Texas. TPA will soon be making recommendations for campaign contributions. By supporting Tex-Pipe PAC, you are supporting our industry, which is indispensable in Texas' free-market, energy economy.

“IT IS NECESSARY TO HAVE A STRONG POLITICAL VOICE TO COUNTER THOSE WANTING TO UNDERMINE OUR INDUSTRY.”

Thank you all for what you do and as always, please reach out to TPA if we may be of any assistance to you or your member company. Wishing you and your families all the very best for a healthy and happy end of summer and start of fall!

My best to you and yours,
Thure Cannon

ENVIRONMENTAL PROTECTION AGENCY PROPOSES TO RESCIND THE 2009 ENDANGERMENT FINDING

By Don Lewis, Duggins Wren Mann & Romero, LLP

On July 29, 2025, U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin released a proposed rule that would rescind EPA's 2009 "endangerment finding." That 2009 finding, which was preceded by EPA's notice and comment rulemaking process, determined that the combined atmospheric concentration of six greenhouse (GHG) gases was air pollution that may reasonably be anticipated to endanger public health and welfare. EPA will now begin a notice and comment rulemaking process on the proposed reversal, meaning that any final rule on the issue will be many months down the road.

This is a major development. It could have a significant impact on air regulations, including those impacting the pipeline industry, because the 2009 endangerment finding forms a key legal foundation for federal policies and rules aimed at reducing GHG emissions and addressing climate change. Without the endangerment finding, the now-familiar federal rules addressing methane and other GHG emissions (e.g., 40 CFR Part 60 Subpart OOOOb) would be vulnerable to the argument that they must be withdrawn because they no longer have a legal basis.

Of course, EPA's effort to reverse the endangerment finding will be highly controversial. After the notice and comment process is finalized, the inevitable onslaught of litigation will occur, which will probably take years to resolve. One key task for EPA in defending its action in court will be to explain why the agency is justified in changing its position. Agencies are not free to simply change their mind whenever they want to; rather, courts generally require an agency that is reversing course to put forth a reasoned explanation for the change in position that is being proposed.

EPA statements accompanying the announcement of the proposed rescission previewed some of the arguments that the agency will make to defend its position:

- "In an unprecedented move, the Obama EPA found that carbon dioxide emissions emitted from automobiles – in combination with five other gases, some of which vehicles don't even emit – contributes some unspecified amount to climate change, which in turn creates some unspecified amount of endangerment to human health and welfare. These mental leaps were admittedly novel, but they were the only way the Obama-Biden Administration could access EPA's authority to regulate under [the Clean Air Act]."
- "EPA lacks the 'clear congressional authorization' required for the novel approach taken in the Endangerment Finding...."

- "[T]he Obama EPA did not consider any aspect of the regulations that would flow from the Endangerment Finding. EPA subsequently relied on the Endangerment Finding to underpin seven vehicle regulations with an aggregate cost of more than \$1 trillion. The Endangerment Finding has also played a significant role in EPA's justification of regulations of other sources beyond cars and trucks, resulting in additional costly burdens on American families and businesses."

"THIS IS A MAJOR DEVELOPMENT THAT COULD HAVE A SIGNIFICANT IMPACT ON AIR REGULATIONS, INCLUDING THOSE IMPACTING THE PIPELINE INDUSTRY."

- "Much has changed since the 2009 Endangerment Finding was issued, including new scientific and technological developments that warrant review. Additionally, major Supreme Court decisions in the intervening years... have significantly clarified the scope of EPA's authority under the CAA. The decisions emphasized that major policy determinations must be made by Congress, not by administrative agencies."
- "Importantly, the nation's policy response to global climate change concerns was a major issue in the 2024 presidential election, in which voters were presented with distinct legal and policy approaches and elected a candidate promising a change in policy. Under these circumstances, the election of a new Administration is an independent and sufficient basis for changing legal interpretation and policy within the boundaries set by statute. Democratic accountability is essential to the exercise of delegated authority by administrative agencies, and retaining the Endangerment Finding without clear statutory authority would frustrate, not promote, constitutional values and the rule of law."

An important battle has now begun, one that will play out at the EPA, in the courts and possibly in Congress, which has power to weigh in on this issue through legislation or appropriations decisions. The upcoming rulemaking process, litigation, potential judicial stays, efforts to undo GHG rules, and possible congressional action, will take years to unfold. What transpires will be of great interest to our members. We will keep you posted with updates as developments warrant.

RRC APPLICATION TO EPA FOR UIC CLASS VI PRIMACY IN FINAL PHASE OF REVIEW

By Phil Gamble, The Law Office of Phil Gamble

The Texas Application to the U.S. Environmental Protection Agency (EPA) for primacy on Underground Injection Control (UIC) Class VI injection wells is in the final phase and nearly complete.

EPA issued a pre-publication notice on June 9, 2025, for approval of the Railroad Commission of Texas (RRC) application for UIC Class VI primacy for injection and geologic sequestration of carbon dioxide. The application was assigned Docket ID No. EPA-HQ-OW-2025-0157. EPA has determined that the application meets all applicable requirements for Class VI primacy under SDWA section 1422 and that the program is consistent with all applicable UIC regulations. Notice of the Application was published in the June 17, 2025, Federal Register. A link to the notice is [here](#).

The process initiated with the RRC submitting the application to EPA for UIC Class VI primacy on Dec. 19, 2022. There are four phases of EPA review for the RRC primacy application. Phase 1 included examination of the Texas UIC statutes and regulations. Phase 2 involved a review of the application, including the program description, execution of a Memorandum of Agreement between EPA and Texas and public participation documentation. Phase 3 included a comprehensive evaluation of the application with EPA concluding that the application met all requirements and publishing the pre-publication notice granting Class VI UIC primacy to Texas.

Following publication, EPA established a 45-day comment period ending Aug. 1 and scheduled a virtual public hearing for July 24, 2025.

More than 100 written comments were filed with EPA regarding the RRC UIC Class VI application. The virtual public hearing was held online from 5:00 p.m. to 9:30 p.m. Commenters were allocated 1.5 minutes to speak; 146 commenters signed up, with another 91 placed on a waitlist. Ultimately, all commenters were allowed to express their positions on the proposed application. The overwhelming majority of written comments supported the RRC UIC Class VI Primacy Application and EPA's proposal to amend 40 CFR 147.2200 and incorporate by reference Texas' EPA-approved state statutes and regulations for UIC Class VI wells for the injection and geologic sequestration of carbon dioxide.

Phase 4 will conclude with an EPA review of the public comments and publication in the Federal Register of the final rule granting approval of the RRC primacy application, including any changes made from the proposed rule based on the public comments and hearing.

There are no statutory time limits for EPA to act and make a final recommendation. However, it is anticipated that final approval of the application will take place before the year's end.

TEXAS STATE LEGISLATURE OPENS SPECIAL SUMMER SESSION

By Anne T. Billingsley, ONEOK, Inc.



The Texas legislature made it 48 days (with a 20-day veto period) – only to be called back for the first special session of the 2025 legislature. After the veto period ended on June 22, Gov. Greg Abbott announced he was bringing the members back for a special session, which started on July 21. The call, which includes 18 items the Texas House and Senate need to tackle within this 30-day period, addresses flood warning systems, flood emergency communications, natural disaster preparation and recovery, the regulation of hemp-derived products, the STAAR test and congressional redistricting, just to name a few. The Texas Pipeline Association will keep an eye on the proceedings to make sure our issues do not get caught up in the political fray.

Looking back at the regular session, which adjourned in early June, the Association had a successful session playing defense on issues that impacted the midstream industry. A bill TPA was following, sponsored by Rep. Tom Craddick (R-Midland), related to the prohibition of a county from requiring a cash bond as a condition of approval for the construction of a pipeline within the county's boundaries, unless the county grants the person proposing the construction the right to approve or deny the use of the bond proceeds.

Another bill we monitored closely was by Rep. Don McLaughlin

(R-Uvalde) and would provide for a grant program for the development of critical infrastructure emergency response maps at the Department of Public Safety, although for now, the bill's provisions apply only to airports or military installations owned or operated by or for the state. The bill will not impact natural gas systems or pipelines in any way. Both bills have either gone into effect or will go into effect on Sept. 1, 2025.

Eminent domain was not on the radar for this session. However, refiled eminent domain bills in the Senate kept us busy the last few weeks of session. TPA and member company lobby teams worked diligently to make sure legislation that impacts our ability to do business in Texas was not hindered. As a reminder, the most recent major overhaul of eminent domain law was passed in 2021 and included an agreement of a moratorium on further eminent domain reforms. Because the House has had such high turnover in the last few sessions, many of those members who made that agreement are now out of office.

Following the adjournment of the regular session, Sen. Brian Birdwell (R-Granbury) announced he will not run for re-election after this term. Since he took office in 2011, Sen. Birdwell has been a dedicated supporter of the midstream industry. We appreciate his time, energy and service in collaborating with our member companies over the last several years.

INDUSTRY VIEWS

MIDSTREAM'S ODE TO REGULATION

We got to thinking... just how many agencies regulate the Texas midstream industry and how many rules and regulation must it follow? An awful lot! So our environmental team decided to put some humor to the situation, writing an ode to the dedication and commitment of the TPA member companies who adhere to – and many times exceed – this “tangled web of acronyms.” Thank you to TPA Environmental Chair Melanie Roberts, not only for her hard work helping to track these myriad laws and regulations, but also for her poetic talents, with an assist by Microsoft CoPilot.

***RICE MACT and 0000b clean the air,
GHGRP tracks carbon with care.***

***The SEC aims for climate gain,
While OBBB stalls methane's reign.***

***OIAI locks rules in tight,
And PHMSA guards each gas-filled pipe.***

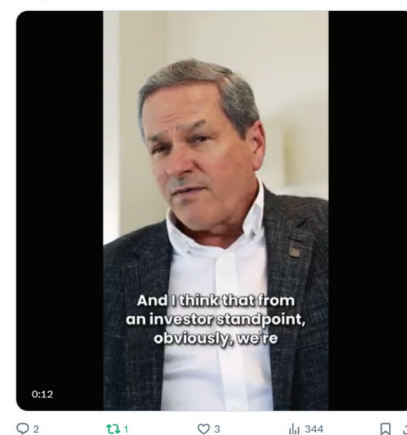
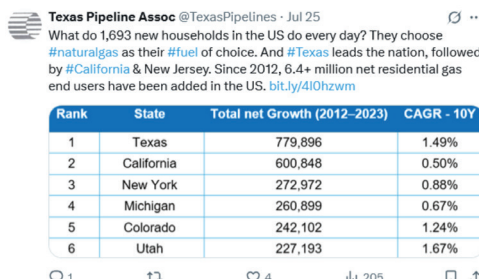
***ESA shields life on the brink—
And WOTUS defines the wetlands link.***

***A tangled web, one must agree—
Of acronyms and policy!***



SHARE THIS!

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



TPA President Thure Cannon appeared as a Guest commentator for *World Pipelines' Americas* issue in August. The link to the issue can be found [here](#). Thure's column is on page five.

GUEST COMMENT



THURE CANNON
President of the Texas Pipeline Association (TPA)

Seventy two million dollars every single day. That's the amount of money that the Texas oil and gas industry contributes to the state of Texas, having just paid a record-breaking US\$27.3 billion in state and local taxes and state royalties in FY24. That is money that helps fund Texas public schools, universities, roads, first responders and other essential services.

Over the next 40 years, Texas pipelines alone will deliver an expected cumulative impact of US\$1.86 trillion in economic output and nearly 525 000 well-paying jobs to the state. With a total pipeline mileage of 465 025, Texas has the largest pipeline infrastructure in the US; 418 823 of those miles are intrastate. Yet more are needed.

In October 2024, a new pipeline carrying shale natural gas from west Texas toward export hubs on the US Gulf Coast has helped to ease constraints and pave the way for higher US oil production. The 580 mile (933 km) Matterhorn Express pipeline is the first new natural gas pipeline built in the Permian Basin in three years. This development has helped to alleviate previous bottlenecks, stabilise local gas

prices and facilitate increased oil production with reduced gas flaring.

Despite the addition of the Matterhorn Express pipeline, however, projections indicate that its capacity may be reached within 12 - 18 months. With new pipelines like the Blackcomb project not expected until late 2026, the industry could face renewed bottlenecks, potentially leading to depressed gas prices and constrained oil production.

And – with America's growing reliance on energy-hungry data centres to support the emergence of artificial intelligence – the demand is even more crucial.

Adding intrastate miles is not as challenging as those crossing state lines, which fall under federal regulatory guidelines and constraints. Texas operates within a more competitive market where the economic principles of supply and demand dictate costs of service, inform contract terms and determine the build out of new infrastructure. This competitive market design ensures that Texans benefit from an efficient, cost-efficient system that delivers some of the lowest energy prices in the nation.

Despite environmentalists' pushback, pipelines continue to be the safest, most efficient and environmentally viable way to carry the primary hydrocarbons – such as crude oil, petroleum products and natural gas – that fuel our economy. In fact, a barrel of energy delivered by pipeline safely reaches its destination 99.999% of the time.

Even as pipeline mileage and barrels delivered have increased about 5% over the past five years, total liquids pipeline incidents are down 23%, according to the American Petroleum Institute (API) and the Liquid Energy Pipeline Association (LEPA).

New technologies are part of the success of ensuring safe and efficient transportation of hydrocarbons. Drones and other leak detection devices are among the many tools that operators use to help reduce emissions, which S&P Global Commodity Insights recently reported have decreased by 26% from 2022 - 2023 in the Permian Basin – a decline that occurred even as total oil and gas production in the area increased.

And while it is technology that ensures safety and efficiency in delivering hydrocarbons, it is also technology that helps drive the demand. A recent survey by the Federal Reserve Bank of Dallas showed that nearly 40% of Texas companies already use AI, with another 17% planning to use it in the coming year.

The midstream sector is up to the challenge. In a unique and ground-breaking development, Energy Transfer LP has announced that it has entered into a long-term agreement with Denver-based CloudBurst Data Centers, Inc. to provide natural gas to CloudBurst's flagship AI-focused data centre development in Central Texas.

Over the years, the Texas pipeline industry has achieved significant milestones in infrastructure development and economic contributions, and will continue to address challenges such as capacity constraints, regulatory hurdles and workforce dynamics throughout 2025 and beyond.

1. 2024 Annual Energy & Economic Impact Report, TXOGA; 2025
2. 2022 Analysis of the Current and Future Economic Impact of the Texas Oil and Gas Pipeline Industry, Texas Tech University Center for Energy Commerce, Rawls College of Business; 2023
3. Texas Pipeline System Mileage, Railroad Commission of Texas; 2025
4. Texas natural-gas pipeline eases bottlenecks, paves way for higher shale output, Reuters; 2024
5. 2023 Performance Report & 2023-2025 Pipeline Excellence Strategic Plan, American Petroleum Institute, Liquids Energy Pipeline Association; 2024
6. Turning the tide: Upstream Permian methane emissions drop 26% in 2023, S&P Global Commodity Insights; 2024
7. Texas Business Outlook Surveys, Federal Reserve Bank of Dallas; 2024
8. Energy Transfer and CloudBurst sign agreement for natural gas supply to data centre project in Central Texas, World Pipelines; 2025

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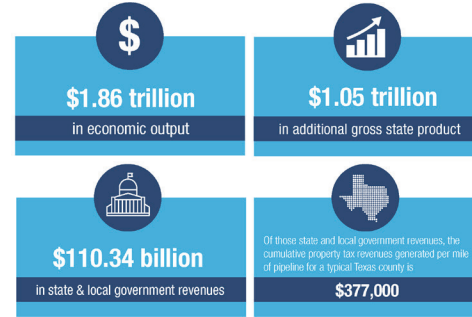
Jamie Welch

Kinetik

Paul Williams

ARM Energy

Over the next 40 years, the Texas pipeline industry will generate cumulative economic impacts of (in today's dollars):



texaspipelines.com

Economic Impacts of the Texas Oil and Gas Pipeline Industry, Texas Tech University
Study, Commissioned by the Texas Pipeline Association, May 2023

TPA 2025/26 BOARD MEETINGS

Thursday, Oct. 9, 2025

Plano, Atmos' Charles K. Vaughan Center

Friday, Jan. 23, 2026

Houston, C. Baldwin

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