

**PSC and Whiting Review of Belfield Oil Pipeline Construction  
Meeting Minutes  
October 27<sup>th</sup>, 2011**

**Attendees:**

Patrick Fahn, Director of Compliance and Competitive Markets, ND PSC, Bismarck, 701-328-4077,  
[pfahn@nd.gov](mailto:pfahn@nd.gov)

Steve Meagher, Construction Manager, Whiting Oil and Gas, Belfield, 701-770-0999,  
[steve.meagher@whiting.com](mailto:steve.meagher@whiting.com)

Bill Regan, Environmental Project Manager, Merjent, Minneapolis, 612-746-3662, [bregan@merject.com](mailto:bregan@merject.com)

Bill Kovar, Inspector, GWD Design, Belfield, 307-751-8798, [bkovar@gwddesign.net](mailto:bkovar@gwddesign.net)

Fred Varner, Owner, F&D Oilfield Services, Belfield, 406-978-2132, [fdvarner@midrivers.com](mailto:fdvarner@midrivers.com)

Nicole Tebow, Pipeline Compliance Specialist, Whiting Oil & Gas, Denver, 303-390-4957,  
[nicole.tebow@whiting.com](mailto:nicole.tebow@whiting.com)

Discussion regarding "*Certification Relating to Order Provisions Transmission Facility Siting*" signed by Rick Ross.

- #1. Read through and agreed.
- #3. Read through and agreed.
- #4. Read through and agreed. Whiting will submit the county permits for road bores and the Storm Water permits through John Morrison in the same manner as previous submittals.
- #5. Read through and agreed. Whiting will send the intent to construct notification to the Commission's general email at [ndpsc@nd.gov](mailto:ndpsc@nd.gov) and cc Patrick Fahn at [pfahn@nd.gov](mailto:pfahn@nd.gov). Once the intent to construct is received, the weekly status update schedule will be determined. All emails will contain "Case #PU-11-102" in the Subject Line and weekly updates will include "For the Week of \_\_\_\_\_" in the Subject Line. The first page of documents will have a 1.3 inch margin on the bottom of the page to allow room for the Commission's sticker.
- #6. Read through and agreed.
- #7. Read through and agreed.
- #8. Read through and agreed. Patrick Fahn noted that if the Commission hires a third party inspector, that entity will definitely want to see these records. Whiting took note and will be prepared to share documentation.
- #9. Read through and agreed.
- #10. Read through and agreed. Bill Kovar, Pipeline Inspector, will be responsible for reporting any threatened species including bald or golden eagles.
- #11. Read through and agreed. No sites have been identified.
- #12. Read through and agreed. Bill Kovar will be responsible for reporting any cultural resource that is discovered during construction activities.
- #13. Read through and agreed. Whiting will bore all road crossings.
- #14. Read through and agreed.
- #15. Read through and agreed.
- #16. Read through and agreed. Whiting will strip back top soil prior to trenching.
- #17. Read through and agreed.
- #18. Read through and agreed.

- #19. Read through and agreed.
- #20. Read through and agreed.
- #21. Read through and agreed. Patrick Fahn mentioned there was a recent question at a hearing regarding TV and radio interference from a pipeline. Steve Meagher replied that he has never known of any interference to TV or radio from a pipeline. However, there definitely are AC mitigation issues with electrical utilities.
- #22. Read through and agreed.
- #23. Read through and agreed.
- #24. Read through and agreed.
- #25. Read through and agreed.
- #26. Read through and agreed.
- #27. Read through and agreed.
- #28. Read through and agreed. Patrick Fahn specified that this would be applicable to injuries more significant than would require a band aid. Nicole Tebow inquired if this would be more of an OSHA type incident. Patrick Fahn clarified that he is not certain exactly what those regulations are.
- #29. Read through and agreed. Complaints shall be directed to Nicole Tebow who will notify the Dickinson Office of the issue. Patrick Fahn asked if he should contact Nicole or if he should refer the individual to Nicole. Nicole stated that either is acceptable.
- #30. Read through and agreed. Patrick Fahn stated there is no need for these documents at this time. Bill Regan inquired if the alignment sheets the Commission already has are enough information, then offered that we could get more details at the Commission's request, such as pig launchers and receiver drawings. Patrick Fahn stated that is not necessary for now.
- #31. Read through and agreed. Patrick Fahn clarified that depending on the deviation it might need to go to the public for notice again. If the change is within the approved corridor, the Commission can approve the changes internally.
- #32. Read through and agreed. Patrick Fahn specified the three month deadline for the submittal of the corridor documents is January 19<sup>th</sup>.
- #33. Read through and agreed.
- #34. Read through and agreed.
- #35. Read through and agreed.
- #36. Read through and agreed.
- #37. Read through and agreed.

Points of note regarding "***Recommended Findings of Fact, Conclusion of Law and Recommended Order, October 18, 2011***"

- #10. Read through and agreed.
  - #15. Read through and agreed.
  - #18. Read through and agreed. Bill Kovar will be responsible for shutting down construction and reporting if a whooping crane is observed.
  - #22. Read through and agreed.  
Patrick Fahn stated that Whiting must place a one call ticket and follow all ND One Call Laws. Whiting agreed.
- Patrick Fahn requested confirmation that the 80 foot corridor route on approved Exhibit 3 is what Whiting will use. Whiting confirmed that it is.

#5. Read through. Discussed status of completion. The work was completed and SHPO request submitted. No sites were identified. Received SHPO concurrence and submitted to the Commission on October 24, 2011.

Discussion regarding the "***Energy Conversion and Transmission Facility Siting Act***" and the possible penalties.

Patrick Fahn stated he was not going to read through the entire document, but wanted to remind Whiting of the potential for the Commission to revoke the Route Permit. He also noted that penalties can include Class A Misdemeanor charges, civil penalties not to exceed \$10,000 per day with a total not to exceed \$200,000 and injunctive procedures. Whiting agreed to read through the document and be familiar with potential penalties.

Patrick Fahn asked if Whiting had any questions. Whiting did not. Nicole Tebow reiterated that she will email the Meeting Minutes to the Commission and cc Patrick Fahn prior to construction, that Whiting will submit all permits to the Commission prior to construction, that Whiting will notify the Commission of intent to begin construction and then submit weekly status reports.