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August 5, 2013

Mr. Darrell Nitschke
Executive Director
NORTH DAKOTA
PUBLIC SERVICE COMMISSION
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480



RE: Vantage Pipeline US LP Natural Gas Liquids Pipeline
PSC Case No. PU-11-109
Our File No. 66-446-001

Dear Mr. Nitschke:

Enclosed for filing in the captioned case by Vantage Pipeline US LP are 11 copies of meeting minutes from the pre-construction conference call held on Friday, August 2, 2013.

Please contact the undersigned should you have any questions.

Very truly yours,

BRIAN R. BJELLA

bw
Enc.

cc: Patrick Fahn w/enc.

August 2, 2013

Public Service Commission – Vantage Pipeline Pre-construction Conference
Via teleconference

Attendees

Pat Fahn – PSC

Tim Spilman – Keitu

Cullen Colville - Vantage

David Schmunk - Vantage

Terry Killackey - Vantage

Keith Learmonth – Vantage

David Cameron – KC Harvey

Johnny Kroner - Michels

Nick Phundheller - Michels

1. Review of PSC Certificate

- a. Reviewed Paragraph 1 – No questions
- b. Reviewed Paragraph 3 – No questions
- c. Reviewed Paragraph 4 – A copy of the DOS permit is attached to these minutes.
- d. Reviewed Paragraph 5 – Notice of intent to start construction and weekly construction reports required. Examples of weekly reports on the PSC website. These can be filed by email to the commission at the general email, ndpsc@nd.gov and copy Pat Fahn, pfahn@nd.gov and Tim Spilman tspilman@keitu.com. Tim Spilman's role as third party inspector is to observe and report on construction activities and review the reports. Reporting guidelines provided by Tim and are attached to these minutes. Format note: leave a 1.3 inch space on bottom of first page of report.
- e. Reviewed Paragraph 6. What is definition of undeveloped section line? A section line with no ditches. If a road is developed pipeline must be 72" deep. Any location with an undeveloped road pipeline needs to be 72" deep.
- f. Reviewed Paragraph 7. No questions
- g. Reviewed Paragraph 8. No questions
- h. Reviewed Paragraph 9. No questions
- i. Reviewed Paragraph 10. No questions
- j. Reviewed Paragraph 11. No questions
- k. Reviewed Paragraph 12. No questions
- l. Reviewed Paragraph 13. 74 road crossings. Several landowners would like open cut vs a bore. List and track which ones are open cut vs bore.
- m. Reviewed Paragraph 14. No questions.
- n. Reviewed Paragraph 15. No questions
- o. Reviewed Paragraph 16. Not much topsoil in grasslands and intention to do minimum stripping to improve reclamation. One method could be to remove topsoil and pile on grass. Also remove subsoil and put on grass. Any ability to modify this condition? Only by approval of the commission. Vantage to file this request and provide benefits and Pat to try and expedite approval. File through our attorney.

- p. Reviewed Paragraph 17. No questions
 - q. Reviewed Paragraph 18. No questions
 - r. Reviewed Paragraph 19. No questions
 - s. Reviewed Paragraph 20. Was an inventory provided to the PSC? Inventory only completed to 30 mile distance. Tree and shrub inventory plan has been approved by the PSC. File inventory when complete through attorney.
 - t. Reviewed Paragraph 21. No questions
 - u. Reviewed Paragraph 22. No questions
 - v. Reviewed Paragraph 23. No questions
 - w. Reviewed Paragraph 24. No questions
 - x. Reviewed Paragraph 25. No questions
 - y. Reviewed Paragraph 26. No questions
 - z. Reviewed Paragraph 27. No questions
 - aa. Reviewed Paragraph 28. Contact info for the land agents and the complaint procedure and forms are attached to these minutes.
 - bb. Reviewed Paragraph 29. Provide a set of alignment sheets for Tim when in the field.
 - cc. Reviewed Paragraph 30. Vantage is sending in some route adjustments.
 - dd. Reviewed Paragraph 31. No changes have been made to the corridor approved with the application. If GIS data of the original route was not filed with the application, file this data with the PSC. Vantage believes that drawings and GIS data of the new route were received by the PSC today, August 2, 2013.
 - ee. Reviewed Paragraph 32. No questions
 - ff. Reviewed Paragraph 33. No questions
 - gg. Reviewed Paragraph 34. No questions
 - hh. Reviewed Paragraph 35. No questions
 - ii. Reviewed Paragraph 36. No questions
 - jj. Text of the order which needs review.
 - i. Review Finding of Fact 19. No questions
 - ii. Review Finding of Fact 20. A copy of the letter to the Army Corp of Engineers is attached to these minutes.
 - iii. Review of Finding of Fact 21. KC Harvey will have a team of environmental monitors on the project and a monitor will be on site at all times.
 - iv. Review Finding of Fact 22. No questions
 - v. Review Finding of Fact 23. No questions
 - vi. Review Finding of Fact 29. Yes a Spill Prevention, Containment and Control Plan is in place. A copy of the plan is attached to these minutes.
 - vii. Finding of Fact 31. ERP for DOT for operations and it is under development. Discussions with households within 900 meters and local responders underway. All to be filed with DOT prior to operations.
 - viii. Review Finding of Fact 35. Yes Vantage will participate in North Dakota One Call.
 - kk. Order Clause. Item 2. Center line is identified on the most recent drawings sent to PSC and corridor can be reduced to 300 feet for the entire length.
2. Review of Letter regarding House Bill 1147.
 - a. Vantage understands and a filing will be occurring as soon as possible. Only details of the adjustments are required.
 3. Review of the penalties for violations. No questions

4. Questions from Tim Spilman

- a. Vantage has obtained easements on all land except for the purchase of property at an abandoned railway line.
- b. Vantage to begin construction in ND Monday on the south end and move north. Complete by November. Vantage to send contact details to Tim for scheduling any site visits.
- c. Above ground installations will be constructed within that November timeframe. Hess meter and pump part of the Hess scope as well as pipe to north side of road. Additional pump stations, if required, will be located in Canada.

PRESIDENTIAL PERMIT

AUTHORIZING VANTAGE PIPELINE US LP TO CONSTRUCT, CONNECT, OPERATE, AND MAINTAIN PIPELINE FACILITIES AT THE INTERNATIONAL BOUNDARY BETWEEN THE UNITED STATES AND CANADA

By virtue of the authority vested in me as Under Secretary of State for Economic Growth, Energy, and the Environment, including those authorities under Executive Order 13337, 69 Fed. Reg. 25299 (2004), and Department of State Delegation of Authority 118-2 of January 26, 2006; having considered the environmental effects of the proposed action consistent with the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. § 4321 et seq.) and other statutes relating to environmental concerns; having considered the proposed action consistent with the National Historic Preservation Act (80 Stat. 917, 16 U.S.C. § 470f et seq.); and having requested and received the views of members of the public, various federal and state agencies, and various Indian tribes; I hereby grant permission, subject to the conditions herein set forth, to Vantage Pipeline US LP (hereinafter referred to as the "permittee" or "Vantage"), a limited partnership duly organized under the laws of the State of Delaware, to construct, connect, operate, and maintain pipeline facilities at the border of the United States and Canada in Divide County, North Dakota, for the export of liquid ethane from the United States to Canada.

The term "facilities" as used in this permit means the relevant portion of the pipeline and any land, structures, installations, or equipment appurtenant thereto.

The term "United States facilities" as used in this permit means those parts of the facilities located in the United States. The United States facilities will consist of a single 10-inch diameter pipeline extending from the United States-Canada border near 151st Ave NW, Divide County, North Dakota, up to and including the first mainline shut-off valve in the United States.

This permit is subject to the following conditions:

Article 1. (1) The United States facilities herein described, and all aspects of their operation, shall be subject to all the conditions, provisions, and requirements of this permit and any amendment thereof. This permit may be terminated or amended at any time at the discretion of the Secretary of State or the Secretary's delegate or upon proper application therefor. The permittee shall make no substantial change in the United States facilities, the location of the United States

facilities, or in the operation authorized by this permit until such changes have been approved by the Secretary of State or the Secretary's delegate.

(2) The construction, connection, operation and maintenance of the United States facilities shall be in all material respects as described in the permittee's November 15, 2010 application for a Presidential Permit (the "Application"), as amended, the final Environmental Assessment dated May 10, 2013, the Department of State's Finding of No Significant Impact dated May 13, 2013, and any construction, mitigation, and reclamation measures included in the Environmental Protection Plan (EPP) and other mitigation and control plans that are already approved or that are approved in the future by the Department of State or other relevant federal agencies. In the event of any discrepancy among these documents, construction, connection, operation and maintenance of the United States facilities shall be in all material respects as described in the most recent approved document unless otherwise determined by the Department of State.

Article 2. The standards for, and the manner of, the construction, operation, and maintenance of the United States facilities shall be subject to inspection and approval by the representatives of appropriate federal, state and local agencies. The permittee shall allow duly authorized officers and employees of such agencies free and unrestricted access to said facilities in the performance of their official duties.

Article 3. The permittee shall comply with all applicable federal, state, and local laws and regulations regarding the construction, connection, operation, and maintenance of the United States facilities and with all applicable industrial codes. The permittee shall obtain all requisite permits from state and local government entities and relevant federal agencies.

Article 4. Construction, connection, operation, and maintenance of the United States facilities hereunder shall be subject to the limitations, terms, and conditions issued by any competent agency of the United States Government. The permittee shall continue the operations hereby authorized and conduct maintenance in accordance with such limitations, terms, and conditions. Such limitations, terms, and conditions could address, for example, environmental protection and mitigation measures, safety requirements, export regulations, measurement capabilities and procedures, requirements pertaining to the pipeline's capacity, and other pipeline regulations.

Article 5. The permittee shall notify the Commissioner of Customs and Border Protection immediately if it plans to inject foreign merchandise into the United States facilities, or if it plans to seek an amendment to this permit authorizing use of the United States facilities for any imports of petroleum or petroleum products into the United States.

Article 6. Upon the termination, revocation, or surrender of this permit, and unless otherwise agreed by the Secretary of State or the Secretary's delegate, the United States facilities in the immediate vicinity of the international boundary shall be removed by and at the expense of the permittee within such time as the Secretary of State or the Secretary's delegate may specify, and upon failure of the permittee to remove, or to take such other action with respect to, this portion of the United States facilities as ordered, the Secretary of State or the Secretary's delegate may direct that possession of such facilities be taken and that they be removed or other action taken, at the expense of the permittee; and the permittee shall have no claim for damages by reason of such possession, removal, or other action.

Article 7. When, in the opinion of the President of the United States, the national security of the United States demands it, due notice being given by the Secretary of State or the Secretary's delegate, the United States shall have the right to enter upon and take possession of any of the United States facilities or parts thereof; to retain possession, management, or control thereof for such length of time as may appear to the President to be necessary; and thereafter to restore possession and control to the permittee. In the event that the United States shall exercise such right, it shall pay to the permittee just and fair compensation for the use of such United States facilities upon the basis of a reasonable profit in normal conditions, and the cost of restoring said facilities to as good condition as existed at the time of entering and taking over the same, less the reasonable value of any improvements that may have been made by the United States.

Article 8. Any transfer of ownership or control of the United States facilities or any part thereof shall be immediately notified in writing to the United States Department of State, including the submission of information identifying the transferee. This permit shall remain in force subject to all the conditions, permissions and requirements of this permit and any amendments thereto unless subsequently terminated or amended by the Secretary of State or the Secretary's delegate.

Article 9. (1) The permittee is responsible for acquiring such right-of-way grants or easements, permits, and other authorizations as may become necessary and appropriate.

(2) The permittee shall save harmless and indemnify the United States from any claimed or adjudged liability arising out of the construction, connection, operation, or maintenance of the facilities, including but not limited to environmental contamination from the release or threatened release or discharge of hazardous substances and hazardous waste.

(3) The permittee shall maintain the United States facilities and every part thereof in a condition of good repair for their safe operation, and in compliance with prevailing environmental standards and regulations.

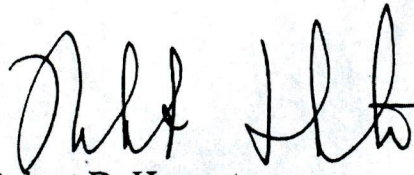
Article 10. The permittee shall take all necessary measures to prevent or mitigate adverse environmental impacts or disruption of archeological resources in connection with the construction, operation, and maintenance of the United States facilities. Such measures will include any construction, mitigation, and reclamation measures included in the Environmental Protection Plan (EPP), other mitigation and control plans that are already approved or that are approved in the future by the Department of State or other relevant federal agencies, and any other measures deemed prudent by the permittee.

Article 11. The permittee shall file with the appropriate agencies of the United States Government such statements or reports under oath with respect to the United States facilities, and/or permittee's activities and operations in connection therewith, as are now or may hereafter be required under any laws or regulations of the United States Government or its agencies. The permittee shall file electronic Export Information where required.

Article 12. The permittee shall provide written notice to the Department of State at such time as the construction authorized by this permit is begun, at such time as construction is completed, interrupted, or discontinued, and at other times as may be designated by the Department of State.

Article 13. This permit shall expire five years from the date of issuance in the event that the permittee has not commenced construction of the United States facilities by that deadline.

IN WITNESS WHEREOF, I, Robert D. Hormats, Under Secretary of State for Economic Growth, Energy, and the Environment, have hereunto set my hand this
16 day of July 2013 in the City of Washington District of Columbia.

A handwritten signature in black ink, appearing to read 'Robt D. Hormats', written in a cursive style.

Robert D. Hormats
Under Secretary of State for Economic Growth,
Energy, and the Environment

PSC Preconstruction Meeting Items for Pipeline

Vantage Pipeline US LP preconstruction meeting was held at 2 PM central time on August 2, 2013 for Case No. PU-11-109. The following are items discussed by Keitu Engineers & Consultants, Inc.

Keitu Engineers & Consultants, Inc. (Commission's third-party construction inspector) purpose is to **observe and report** to the Commission by conducting construction inspections on their behalf. The purpose of the Commission's construction inspections was to ensure that projects are constructed in compliance with the siting laws (NDCCC49-22) and rules (NDACA 69-06-08) and applicable Commission orders.

The following are best practice items Keitu discussed during the preconstruction meetings that would be helpful for Vantage Pipeline US LP to document in their weekly reports:

1. Write in the weekly report the day construction started on the first report.
2. All weekly construction reports should document when a shutdown of the project occurred and when restart began.
3. Date the facility was put in-service.
4. All boring should be provided on as-built drawings with depth.
5. Documentation that the applicant company worked with the US or ND Fish and Wildlife Service informing them of working during wildlife breeding season (Feb 1st to July 15th).
6. Note when cathodic protection test stations for pipelines were installed.
7. Route Restoration & Revegetation Status, Tree & Shrub restoration activity should be part of the weekly report. When seeding starts, % of restoration completed, tree removal, etc. would be examples of information.
8. Applicant shall obtain approval from the Commission staff **prior** to any changes or deviation of the line.
9. Erosion Control identified on weekly progress reports. Three or 4 pictures weekly of construction activity (something different weekly, erosion control silt fences, welding pipe, tape coating, road crossings, trenching, bending of pipe, supports and braces, safety measures for traffic control, etc.).
10. Boring conducted that week. All roads are to be bored unless governing agency permits open cut. Need documentation.
11. Note no critical habitat of threatened or endangered species, or bald or golden eagles seen that week. Report if seen to the Commission.
12. Document when construction is suspended and why in each progress report.
13. If any cultural resource, paleontological resource, archeological resource, historical resource, or grave site is discovered during construction. There should be at least one entry at the end of the report that none of these items were seen during construction. Project should be halted, marked, and preserved if necessary.
14. Documentation of stripping and segregation of topsoil occurring that week. % of project in North Dakota, or miles that week.

15. Reclamation and clean-up. Note start, documentation that it was continuous and coordinated with ongoing construction.
16. Note repair of fencing and gates on weekly reports.
17. Documentation of restoration of roads.
18. Reclamation, Fertilization and reseeding according to NRCS unless specified by landowner.
19. Write in the weekly construction report the date when construction was completed, date restoration is completed.

Other items Keitu would like the siting applicant to do for the Commissions file are:

1. Provide a letter to the Commission discussing any repair or replacement of broken or damaged drainage tile during all phases of construction.
2. Provide a letter discussing removal of all waste that is a product of construction and operation, and restoration and proper disposal of it.
3. Provide a written procedure for how to handle complaints are handled by the siting applicant. Pat Fahn with the ND PSC requested a contact person and phone number from Vantage who will be handling complaints. Vantage to provide land agents name and phone number.
4. Letter to Commission notifying the PSC the date the cathodic protection system was activated.

Timothy Spilman
Project Manager (ND PSC third-party construction inspector)
Keitu Engineers & Consultants, Inc
2610 Old Red Trail STE. C
Mandan, ND 58554
Email: tspilman@keitu.com



Complaint Tracking Form

Date Complaint Received: _____

Name: _____ Phone Number: _____

Legal Land Description: Qtr. _____ Sec. _____ Twp. _____ Rge. _____ W _____ M _____

How was the complaint received: *Telephone Mail Email Fax Other*: _____

Contact Summary:

Date: _____ Name: _____ Method of Contact: _____

Date: _____ Name: _____ Method of Contact: _____

Date: _____ Name: _____ Method of Contact: _____

Date: _____ Name: _____ Method of Contact: _____

Parties Involved:

Name: _____ Position: _____ Number: _____

Name: _____ Position: _____ Number: _____

Name: _____ Position: _____ Number: _____

Name: _____ Position: _____ Number: _____

Name: _____ Position: _____ Number: _____

Detailed Description of Complaint:

Description of Resolution:

Land Agent: _____



Further actions to resolve complaint:

Date of Resolution: _____ If no resolution could be reached explain why:

Land Agent: _____

Landowner Complaint Procedure

- Landowners will direct all issues, questions or concerns to Russ or Karen Bandemer. Russ and Karen have been involved in the project since its inception.
 - Russ Bandemer
 - 113 E. Broadway Suite 1
 - Williston, ND 58801
 - 888-877-6948
 - 307-532-1717
 - rbandemer@vantageus.net

 - Karen Bandemer
 - 113 E Broadway Suite 1
 - Williston, ND 58801
 - 888-877-6948
 - 307-532-1648
 - kbandemer@vantageus.net
- All landowner complaints will be documented on the attached form and complaints will also be documented on a Complaint Tracking Sheet. Items included on this sheet will be:
 - Date
 - Name
 - Description Of Complaint
 - Resolution
 - Date Of Resolution

KC HARVEY ENVIRONMENTAL, LLC

July 22, 2013

Dan Cimarosti, Program Manager
U.S. Army Corps of Engineers
Omaha District, North Dakota Regulatory Office
1513 South 12th Street
Bismarck, ND 58504

RE: Vantage Pipeline – Notice of Construction

Dear Mr. Cimarosti,

This letter provides notice on findings, approvals, and scheduled construction for the proposed Vantage Pipeline Project (Project). The Project will transport ethane from Tioga, North Dakota, United States to a terminal near Empress, Alberta, Canada. As a result of the project's proposed international border crossing, Vantage US LP filed a request for a Presidential Permit in May, 2010. This filing initiated preparation of an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA) by the U.S. Department of State (DOS). Other federal, state, tribal, and local permitting and approval processes were also initiated in 2010, including North Dakota Public Service Commission (PSC) utility corridor siting requirements.

The Project received a DOS Environmental Assessment Finding of No Significant Impact (FONSI) on May 13, 2013 and a Presidential Permit approval on July 16, 2013. All other related federal and tribal reviews, permitting procedures, and consultations we're satisfactorily completed. The PSC issued a Certificate of Corridor Compatibility approval on June 20, 2012.

Field wetland assessments were completed on the project alignment in 2010 through 2012. The Project will result in temporary disturbance to wetlands. No permanent dredge or fill impacts will occur in wetlands or waters. Furthermore, temporary wetland disturbances will be minimized by avoidance and minimizing work areas. Unavoidable wetland disturbances by the pipeline trench will be backfilled to original contours and stockpiled soils separated by horizons.

We discussed these anticipated project effects with you at an agency kick-off meeting in Bismarck in August, 2010. We were informed that barring another federal nexus, an application requesting approval for impacts to waters of the U.S. would not be necessary under these project effects. You requested continued USACE dialogue and a courtesy letter notification of construction. The DOS provided your office with draft and final copies of the EA for review and comment, and engaged the USACE in interagency involvement

During the EA process, the following other project relevant federal processes were satisfactorily addressed:

- U.S. Fish and Wildlife Service (USFWS)
 - Endangered Species Act

- Migratory Bird Treaty Act
- Refuges, Waterfowl Production Areas, and easements under the Fish and Wildlife Coordination Act
- Natural Resource Conservation Service
- North Dakota State Historic Preservation Office (SHPO)
 - National Historic Preservation Act
- U.S. Department of Indian Affairs
- Tribal Historic Preservation Office(s) THPO
 - National Historic Preservation Act
- Eighteen Tribal Governments Contacted
- State of North Dakota
 - Public Service Commission
 - Game and Fish Department (NDGF)
 - Land Department
 - Department of Health
 - Department of Parks and Recreation

As part of the EA and related federal, state, and local coordination, an Environmental Protection Plan (EPP) was completed for the Project. The above-referenced compliance requirements, best management practices, and quality controls will be implemented through the EPP during Project construction and operations. The EPP is available in the EA where it is public information. Project EPP oversight will be implemented through required monitoring, reporting, and maintenance.

Project construction will begin on August 5, 2013.

Vantage US LP would like to extend our appreciation to the USACE and all stakeholders for your involvement and responsiveness throughout the Vantage Pipeline Project process. We look forward towards your continued engagement.

Sincerely,

Brad R. Kovach
Sr. Biologist and Sr. Project Manager

KC HARVEY ENVIRONMENTAL, LLC

SECTION 6.0

STANDARD OPERATING PROCEDURES AND SITE SPECIFIC RULES

ZERO DISCHARGE AND WASTE MANAGEMENT POLICY:

Michels employees and Sub-Contractors shall adhere to a "zero discharge" policy while working at all locations. Employees and Sub-Contractors shall place any and all trash and debris such as plastic cups, paper, cigarette butts and packaging in the appropriate waste container. Hazardous wastes shall be disposed of in strict compliance with local, State and Federal regulations. Procedures for each type of waste must be followed to assure proper packaging, handling and shipping.

In general terms, hazardous wastes are materials that exhibit qualities that are potentially harmful to humans and/or the environment and that are the waste or by-products of production operations. They include materials and mixtures of materials that are toxic, corrosive, flammable, explosive, and carcinogenic.

ENVIRONMENTAL PROTECTION:

Michels Environmental Policy is based on the following principles:

- Comply fully with the letter and spirit of environmental laws and regulations
- Provide appropriate environmental training for employees and subcontractors
- Protect air, land and water resources in an environmental sensitive manner.
- To assist in finding solutions to environmental problems.
- To be good corporate citizens and neighbors by promoting environmental compliance and environmental stewardship.

SPILL PREVENTION

Michels will minimize the potential for spills, to the extent practical. Michels and all their subcontractors must comply with this plan and all applicable environmental and safety laws and regulations. Michels will implement the following practices to prevent spills of fuels, lubricants, and other hazardous substances at the Site.

• Fuel storage tanks, if present

- Locate the tank at least 100 feet from wetlands or waterways and at least 200 feet from potable water sources
- Locate tank in an area away from storm drains. If storm drains are located, necessary precautions will be taken to prevent potential spills from entering storm drains, including placing equipment within temporary barriers
- Locate tank in a secure area with adequate lighting
- Place tank(s) inside a temporary earthen berm lined with plastic to provide containment for 110% of the largest tank (OR provide double wall tanks)
- Siphon or pump any storm water from the containment after rain events
- (Note: Inspect the precipitation first for sheen or oil. If oil or sheen is present, collect the liquid for disposal).
- Lock pumps when not in use
- Inspect the tank, containment, hoses, couplings, pumps weekly
- Keep sufficient spill kits near tank

• Drum or small container storage

- Store 55 gallon drums on spill pallets or in a containment, preferably under roof or cover
- Store containers at least 100 feet from wetlands or waterways.
- Pumps and other portable equipment as well as their gas cans should be placed in secondary containment (i.e. plastic tubs or kiddie pools) when in use

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- Use small containers which are in good condition (maximum capacity of 5 gallon)
 - Protect the containers from the elements and physical damage (i.e. in non traffic area)
 - Replace any leaking or damaged containers.
 - Close containers when not in use.
 - Keep sufficient spill kits near drum and container storage sites.
- **Fuel transfers from a storage tank or container to a vehicle or equipment**
 - Staff must monitor the transfer operations at all times.
 - Operate during daylight hours or where lighting is adequate to illuminate the area.
 - Refuel at least 100 feet from wetlands or surface waters and at least 200 feet from private water sources and at least 400 feet from public water sources.
 - NOTE: Exceptions may be allowed for certain construction activities where the above requirements are not practicable
 - Exercise extreme caution for transfers in areas where setback distances can not be met such as placement of absorbent pads or drip pans beneath transfer points, creating temporary earthen berms, or other similar precautionary spill measures.
 - Keep sufficient spill kits nearby during fuel transfers.
 - **Fluids used in a vehicle or equipment**
 - Inspect the equipment daily for leaks.
 - Repair any defective tanks, hoses, fittings, etc. prior to use.
 - Park the equipment at least 100 feet from wetlands or surface waters when not in use.
 - Immediately turn off the equipment upon discovery of a leak
 - Keep sufficient spill kits on equipment.
 - **Maintenance and repair activities**
 - Routine maintenance (oil changes) should be completed at least 100 feet from wetland or waterways
 - Repairs should also be completed at least 100 feet from wetlands or waterways (if possible)
 - Drip pans should be used during all maintenance and repairs at points of fluid release
 - Containerize all fluids in drip pans, saturated spill absorbents, and or contaminated soil in sealed, labeled drums

SPILL CONTROL AND RESPONSE PROCEDURES:

A spill is an unintentional release of hazardous material to the environment. All spills will be reported immediately and cleaned up as soon as possible. A quick response to a spill is essential and will minimize damage to the environment and reduce clean-up costs. The following procedures are used to effectively control and respond to a spill.

1. Safety First

- Identify immediate dangers or risks. If there is a fire, explosion or other hazards contact 911.
- Take appropriate safety measures to protect on-site personnel and the general public.
- Establish site security by restricting access of non-essential personnel to the area.
- Identify the material(s) spilled.

2. Assess the Release and Address Immediate Threats

- Identify and protect any on-site or nearby environmentally sensitive areas such as surface waters, wetlands, drainage ditches, storm sewers, drinking wells, etc.
- If necessary, construct berms or cover/plug storm sewers and manholes.
- If the spilled material has the potential to enter surface waters, immediately place absorbent booms, skimmers, and dikes on the surface waters to contain the spill.
- Additional sorbents socks/booms should be available during river crossings.

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3. Report the Spill

- Immediately Notify Supervisor, Environmental Coordinator, or Corporate environmental staff who will immediately notify any appropriate regulatory agencies, client and other relevant personnel.

4. Clean Up the Spill

- Construct berms or other structures that will contain the release.
- If the spilled substance has the potential to enter surface waters, use absorbent booms or other means to collect the spilled substance.
- Protect spilled material from weather conditions such as high winds or precipitation that may spread the spill.
- Recover any free product.
- Do not do anything that will amplify the spill such as trying to wash it away with water. Washing the area with water will only spread the release and may cause further environmental damage.

5. Arrange For Proper Disposal

- Contact waste disposal contractor or contact Michels Corporate Environmental staff for assistance.

MICHEL'S BASIC HS&E RULES:

Safety Rules have been developed with input from supervision and employees. While held to a minimum, the rules address behaviors and work practices that can lead to accidents and injuries. Each employee, subcontractor, visitor, customer, and vendor shall become familiar with and follow the Safety Rules. Most accidents can be prevented if everyone uses assigned safety equipment and follows the established safety rules. To operate a safe and successful business, Michels must work as a team to think safe, work safe, and be safe. These following rules are fundamental and apply to all employees, subcontractors, visitors, customers, and vendors:

- This project requires that personnel be able to don and doff a respirator should the need arise; therefore, all employees must report for work fit for duty. Likewise a medical clearance is required to be able to fulfill any position.
- Employees will come to work clean shaven, in order to properly wear the respirator if necessary.
- Comply with all specific safety instructions such as posted signs, those given by your supervisor, and those listed in the Safety Handbook where applicable.
- All injuries, *no matter how slight*, as well as every "near miss" or "close call" having potential to cause harm to individuals or damage to property are to be reported to your supervisor immediately.
- Report any potential physical hazards and/or unsafe acts immediately to your supervisor.
- Consent to search of your person and baggage.
- Have no controlled substance such as drugs or alcohol on the job.
- If involved in an accident, you must submit to a post-accident drug and alcohol screen.
- To have no firearms or weapons in your possession.
- Conduct or attend documented safety meetings and turn in Michels Safety Meeting Minutes.
- Horseplay and practical jokes are prohibited, as they may cause injury.
- Operate equipment, machinery, or power tools only when authorized to do so.
- To do all that you possibly can do to keep your work area free from hazards.
- Use only proper tools and equipment for the job and use them correctly as instructed by your supervisor. Should you need to use tools and equipment you are not familiar with, contact your supervisor before using.
- Overhead cranes are designed to lift straight up and should not be attached to loads on an angle.
- Before you start work, you must notify your supervisor of any permanent or temporary impairment that may reduce your ability to work in a safe manner.
- If there is any doubt as to the safe work method to be used, consult with your supervisor and agree on a safe work practice.
- Verify safety permits such as special entry, hot work, confined space, and lockout/tag-out before start of work. It is your responsibility to inquire if a special permit is required or issued.

We Are Michels Corporation...and We Build America – SAFELY!