



November 20, 2018

Darrell Nitschke  
Director of Administration/Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**RE: Montana-Dakota Utilities Co. / Otter Tail Power Company 345KV Transmission Line  
- Dickey County Siting Application  
Case No. PU-13-840**

**Supporting Documents for the Certificate of Corridor Compatibility and Route Permit**

Dear Mr. Nitschke:

Otter Tail Power Company and Montana-Dakota Utilities Co. (Applicants) hereby submits the following documents in support of the July 10, 2014 Order, and the Supplemental Orders dated December 16, 2015 and November 29, 2017, granting Certificate of Corridor Compatibility No. 154 and Route Permit No. 166 (together with the Findings of Fact, Conclusion of Law, and Order, hereinafter referred to as the Order) by the North Dakota Public Service Commission (Commission):

Exhibit A. Natural Resources Conservation Service (NRCS) email that is the result of the second annual inspection of the plantings for the Tree Replacement Plan.

Exhibit B. The NRCS recommended installing fencing around the planted trees to help protect them from deer browsing the seedlings. Attached are photos showing fencing around the plantings.

Exhibit C. Spill Prevention Control and Countermeasures Plan for the Ellendale Substation.

An electronic copy of this filing is also being sent to you at [dnitschk@nd.gov](mailto:dnitschk@nd.gov) and to the North Dakota Public Service Commission at [ndpsc@nd.gov](mailto:ndpsc@nd.gov).

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November 20, 2018  
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If you have any questions regarding this filing, please contact me at 218-739-8607 or [pbeithon@otpc.com](mailto:pbeithon@otpc.com).

Sincerely,

*/s/ PETE BEITHON*

Pete Beithon  
Manager, Regulatory Recovery  
Otter Tail Power Company

mmo

Enclosures

By electronic filing and U.S. mail

cc: Dickey County Auditor's Office  
c/o Bev Kuska  
209 North 2<sup>nd</sup> Street  
Ellendale, ND 58436

---

**From:** Ulmer, Jeremiah - NRCS-CD, Ellendale, ND <Jeremiah.Ulmer@nd.nacdnet.net>  
**Sent:** Friday, October 05, 2018 11:58 AM  
**To:** Severson, Vicki <VSeverson@otpc.com>  
**Subject:** 2018 Tree Replanting report

\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.\*\*\*

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Hey Vicki, We went out and counted the whole tree planting at Andra Jenkins. We wanted to count the whole planting to get the overall survival rate. This is what we found counted out at the tree planting site. I attached the tree planting plan to this e-mail.

Field #3, 15 Dead – 1 Alive there was significant browsing on the trees.

Field #2, Row 1 (10 Dead – 5 Alive) and Row 2 (5 Dead – 7 Alive) there was significant deer droppings and browsing from deer.

Field #1 Row 1 (15 Alive – 3 Dead), Row 2 (15 Alive – 3 Dead), Row 3 ( 8 Alive – 10 Dead) These looked pretty good, grass and weeds were issue in row 3

The overall Alive percent is around 40%. I would suggest she puts up a fence or something to protect against deer/rabbits eat the trees. I think this would help the survival rate of these trees.

Let me know if you need anything else!

---

Thanks Again and have a Great Day!

**Jeremiah Ulmer**

District Technician  
JRSCD  
Po Box 190  
Ellendale, ND 58436  
701-349-3653 Ext. 3

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**MONTANA-DAKOTA**

**UTILITIES CO.**

*A Division of MDU Resources Group, Inc.*

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## SPCC PLAN

*(Spill Prevention Control and Countermeasures Plan)*

For

***Substations and Regional Facilities***

(2011)

Version I

November 2011

Revised: July 2018

Operated by:

**Montana-Dakota Utilities Co.**

**400 North Fourth Street**

**Bismarck, ND 58501-4092**

**Management Approval**

This SPCC Plan will be implemented as herein described.

Signature Craig Lokstetter

Name Craig Lokstetter

Title Region Director

**Professional Engineer Certification**

I hereby certify that I, or my agent, have examined the facilities, and being familiar with the provisions of 40 CFR, Part 112, attest that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the SPCC Rule. Procedures for required inspections and testing have been established. The plan is adequate for the facilities.

Paul M. Murrow

Signature of Registered Professional Engineer

7/16/2018

Date

Registration No. PE-7463 State North Dakota



(seal)

**LOG OF PLAN REVIEW AND AMENDMENTS**

**NON TECHNICAL AMENDMENTS**

- Non-technical amendments are not certified by a Professional Engineer.
- Examples of changes include, but are not limited to, phone numbers, name changes, or any non-technical text change(s).


**TECHNICAL AMENDMENTS**

- Technical amendments are certified by a Professional Engineer (40 CFR §112.5(c)).
- Examples of changes include, but are not limited to, commissioning or decommissioning containers; replacement, reconstruction, or movement of containers; reconstruction, replacements, or installation of piping systems; construction or demolition that might alter secondary containment structures; changes of product or service; or addition/deletion of standard operation or maintenance procedures related to discharge prevention measures. It is the responsibility of the facility to determine, and confirm with the regulatory authority as necessary, what constitutes a technical amendment. The preamble of the rule states that an amendment is required only “when there is a change that materially affects the facility’s potential to discharge oil” (67 FR 47091).
- An amendment made under this section will be prepared within six (6) months of the change and implemented as soon as possible but not later than six (6) months following preparation of the amendment.
- Technical Amendments affecting various pages within the plan can be P.E. certified on those pages, certifying those amendments only, and will be documented on the log form below.

**MANAGEMENT REVIEW**

- Management will review this SPCC Plan at least each five (5) years and document the review on the form below (40 CFR §112.5(b)).

<b>Review/Amend Date</b>	<b>Signature (Specify)</b>	<b>Amend Plan (will/will not)</b>	<b>Description of Review Amendment</b>	<b>Affected Page(s)</b>	<b>P.E. Certification (Y/N)</b>
November 30, 2011	Chad Miller MDU Todd Hartleben Certifying P.E.	Will	Revised entire plan based on operations	All	Y
June 29, 2016	Andy McDonald MDU Todd Hartleben Certifying P.E.	Will	Revised facility diagrams. Five year review.	All	Y
July 16, 2018	Andy McDonald MDU Paul Burrows Certifying P.E.	Will Not	Reviewed document and no changes made.	All	Y

SUBSTANTIAL HARM CRITERIA CHECKLIST (Facility Response Planning)		
<b>Facility Name:</b>	<b>Substation and Regional Facilities</b>	
<b>SUBSTANTIAL HARM CRITERIA CHECKLIST:</b>  <i>This checklist certifies that this Montana-Dakota Utilities Co. facility is not a Substantial Harm Facility that requires the preparation of a Facility Response Plan under the Oil Pollution Act of 1990 ("OPA"). Pursuant to this certification, this facility is not subject to the OPA facility response planning requirements.</i>		
	<b>Yes</b>	<b>No</b>
1. Does the facility transfer oil over water to or from vessels and does the facility have a total storage capacity greater than or equal to 42,000 gallons?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large enough to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance such that a discharge from the facility would shut down a public drinking water intake?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons within the last 5 years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>CERTIFICATION</b>		
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.		
<b>Jay Skabo</b> Vice President - Electric Supply	7/18/2018	
Name and Title of Responsible Official (Print Name)	Date	
Signature		

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UTILITIES CO.**

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**SECTION A**  
**GENERAL REQUIREMENTS FOR ALL FACILITIES (40 CFR 112.7)**

**1. Company Description**

Montana-Dakota Utilities Co. (Montana-Dakota) a subsidiary of MDU Resources Group, Inc., distributes natural gas and operates electric power generation, transmission, and distribution facilities. The utility serves over 250 communities in Montana, North Dakota, South Dakota, and Wyoming.

The headquarters of Montana-Dakota is located at 400 North Fourth Street, in Bismarck, North Dakota. Montana-Dakota is comprised of four operating regions, each covering portions of the four-state area. It is the responsibility of each of the four regional managers to assure compliance with this plan.

**2. Scope of this SPCC Plan**

A Spill Prevention, Control and Countermeasures (SPCC) Plan provides the basis for predicting, preventing, and responding to oil spills.

A SPCC Plan is required in accordance with 40 CFR 112 for the following facilities:

- Facilities with total oil storage or use of 1,320 gallons or more (55 gallon or larger capacity containers are considered when determining this total).
  - Tier I Facilities have no individual aboveground oil storage container/equipment with a capacity greater than 5,000 U.S. gallons.
  - Tier II Facilities include all other qualified facilities that have an aggregate oil storage capacity of 10,000 U.S gallons or less.
  
- Facilities with completely buried oil storage exceeding 42,000 gallons

If the facility meets any of the above criteria, and due to its location, that could reasonably be expected to discharge oil into or upon navigable waters on the United States, a SPCC Plan is required.

Substations contain oil-filled electrical equipment, and are legally required to have a SPCC Plan if they meet the above criteria; this plan does not apply to Montana-Dakota electric generating stations, which have their own plans.

Electrical equipment that was manufactured prior to 1980 may have been filled with oil containing polychlorinated biphenyls (PCBs). This equipment is managed in accordance with 40 CFR 761, which references the U.S. Environmental Protection Agency (EPA) PCB regulations. When oil with PCBs is discharged there are additional cleanup methods (such as post-cleanup testing) and waste management techniques required. These methods and techniques are described in Section D of this plan.

The PCB regulations in 40 CFR 761 specifically require a SPCC Plan for “temporary PCB storage areas” only. It is the intent of Montana-Dakota to apply this plan to all PCB storage areas, both temporary and permanent.

### **3. SPCC Plan Locations**

A **full copy** (includes appendices) of this plan **must** be kept at each region and district office that has required facilities within its operational area.

An **abbreviated copy** (excludes appendices) **must** be conspicuously located in each substation requiring a plan and at each permanent and temporary PCB storage area.

**Abbreviated copies** of this plan **should** be posted in local offices with required facilities within their operational areas and in region and district offices without required facilities within their operational areas.

### **4. Definitions**

For the purposes of this plan:

***Bulk Storage Container*** means any container used to store oil. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

***Condensate*** means the hydrocarbon liquid that separates from natural gas as a result of temperature and pressure changes. This may include oily liquids, water, glycol, and alcohol in varying amounts.

***Discharge*** includes but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping. For the purposes of this part, the term discharge shall not include any discharge of **oil** that is authorized by permit. *Note that a discharge does not become a reportable discharge or “spill event” until it meets the criteria described below.*

***Harmful Quantities*** include discharges of oil that violate applicable water quality standards, cause a film or sheen upon or discoloration of the surface of the water or the adjoining shorelines, or cause sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines. *As a practical matter, any discharge that reaches navigable waters should be considered a harmful quantity, since very little oil will result in a sheen on the water surface.*

***Navigable Waters*** shall include all navigable waters of the United States and waters of the state. This includes, but is not limited to interstate waters, rivers, and streams; wetlands; lakes and ponds; and groundwater.

***Oil*** means oil of any kind or in any form, including, but not limited to petroleum, fuel oil, gasoline, mineral oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.

***PCB and PCBs*** means polychlorinated biphenyls, and refers to liquids, equipment, or debris containing greater than 500 parts per million (ppm) PCB’s.

**PCB-contaminated** means containing PCB's at a concentration between 50 and 499 ppm.

**PCB Storage Area** means that area so designated at various locations in each region for storage of PCB's prior to disposal and fulfilling the requirements of 40 CFR 761.65.

**Reportable Quantity or "RQ"** means a quantity of PCB of one pound or more. Discharges of one pound or more must be reported to the National Response Center (800-424-8802) and the EPA (303-293-1732). The following calculation should be used to determine the weight of the PCB's discharged.

$$\text{Pounds Discharged} = [(7.5) \times (\text{ppm of PCB in oil}) \times (\text{gallons of oil discharged})] / 1,000,000$$

**Spill or Spill Event** means a discharge of oil into or upon the "navigable waters" of the United States or adjoining shorelines in "harmful quantities." A spill event can also be considered a **reportable discharge**. *Montana-Dakota further defines a spill event as:*

- A discharge of oil to sewers or drinking water supplies
- A discharge of oil that may affect surface or ground water
- A discharge of oil to property not owned by Montana-Dakota
- A discharge of oil that cannot be readily controlled
- A discharge of oil containing greater than or equal to 50 ppm PCB's to grazing lands or vegetable gardens
- A discharge of oil, to land or water, containing greater than or equal to 50 ppm PCB's and exceeding the reportable quantity

**SECTION B**  
**CONFORMANCE WITH EPA GUIDELINES FOR THE PREPARATION AND IMPLEMENTATION OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURES PLANS FOR ONSHORE FACILITIES (40 CFR 112.7 & 112.8)**

**1. Conformance with Rule Requirements (40 CFR 112.7(a))**

This plan has been written in accordance with good engineering practices and has been written to comply with all applicable Federal and State rules and regulations within Montana-Dakota's service territory. Specific rules and regulations include, but are not limited to provisions of the Clean Water Act, Oil Pollution Act, SPCC Rules (40 CFR 112), and the PCB Rules (40 CFR 761). Montana-Dakota will continue to monitor applicable State and Federal rules and regulations and will amend this plan as necessary. Recognizing that not all situations can be anticipated and some may be impractical, Montana-Dakota provides a strong emergency response plan and spill reporting procedures which are discussed below in Section B4 and further detailed in Section C

An electrical substation is the part of an electricity transmission and distribution system where voltage is converted from low to high and vice versa using transformers. These substations contain various types of oil-filled electrical equipment. Each electrical substation is on a level site with a gravel base with some transformers on concrete pads. Each substation is locked and has a fence to secure the area. Montana-Dakota's substations are located in the states of North Dakota, South Dakota, Montana and Wyoming. They may be located within urbanized or rural areas, and placed at varying distances from navigable waters.

Regional facilities normally consist of an office, warehouse and service center or workshop. Oil-filled electrical equipment is serviced at these facilities. There may be a small amount of temporary or permanent PCB storage at these facilities, as well as, oil-filled electrical equipment inventory, a few drums of oil and a small fuel storage tank. Each regional facility has a site-specific facility diagram if the oil capacity exceeds 5,000 gallons within one piece of equipment or an individual container or an aggregate oil capacity greater than 10,000 gallons.

**2. Potential for Equipment Failure (Fault Analysis) (40 CFR 112.7(b))** (N/A for Tier I Sites)

The most common devices containing oil at Montana-Dakota installations are pieces of electrical operating equipment, such as transformers, regulators, oil circuit breakers, capacitors, and bushings. These devices may be found in-service at substations and switching stations, or they can be found in storage areas as inventory. Company history indicates that the most likely equipment failures for substation equipment are small weeps and leaks, 1- 5 cups of mineral oil. The amount of oil released normally stays within inches of the equipment and within the substation.

Other devices containing oil include fuel storage tanks or oil drums. There are likely to be other small oil-containing devices not included in the following discussion that must also be

considered. In general, these devices contain relatively small amounts of oil, and pose minimal risk of causing a reportable discharge. Discharges from these devices can and should be handled on a case-by-case basis.

Following is a discussion of the primary oil containing devices found at Montana-Dakota facilities.

#### **A. Transformers, Regulators, Oil Circuit Breakers, Capacitors, Bushings**

Oil in electrical devices provides insulation between electrically energized internal parts.

Catastrophic rupture on an electrical device would result in immediate loss of electrical service, which in turn would result in customer calls to Montana-Dakota's Dispatch Center. Maintenance personnel would be mobilized to determine the cause of the failure and take corrective steps, including control of any oil spill that may have occurred.

Personnel trained to detect these oil leaks before they become significant will detect slow leakage of an electrical device during the monthly inspections of all substation equipment. Generally when a device loses 10 percent of the insulating oil, electrical failure will result. This failure will result in loss of electrical service and customer calls to the Dispatch Center.

#### **B. Fuel Tanks and Oil Storage Drums**

Adequate secondary containment dikes are required for each existing aboveground fuel or oil storage tank, including oil storage drums. Underground storage tanks must be managed as set forth in the underground storage tank rules for the appropriate state.

The primary mode of equipment failure for aboveground tanks is tank rupture. Properly sized and managed secondary containment will trap any oil discharged from a tank rupture.

Underground tanks and piping are most likely to fail as a result of corrosion or loose fittings. Compliance with the appropriate underground storage tank rules will determine whether the tank is leaking. The possibility of leakage from underground tanks not subject to the underground storage tank rules, such as heating oil tanks, should be considered.

### **3. Secondary Containment (40 CFR 112.7(c))**

All aboveground oil storage tanks and non-empty bulk storage containers with a volume >55 gallons are required to have secondary containment. All oil-filled electrical equipment (transformers, regulators, etc....) are exempt from secondary containment requirements.

All PCB storage areas have secondary containment as required by 40 CFR 761.

When mobile transformers or substations are used they must be positioned such that a release has minimal potential to reach a sewer or surface waters.

#### **4. Contingency Planning (40 CFR 112.7(d)) (Tier 1 Sites Exempt)**

Due to electrical shock hazards associated with impounded water at substations, and the need to assure good access with heavy equipment at all times for maintenance, it is impractical to provide secondary containment structures around electrical substations.

Typical designs require four to six inches of rock gravel surfacing in all electrical facility yards. This design feature benefits the operation and maintenance of the facility by providing proper site drainage, reducing step and touch potentials during short circuit faults, eliminating weed growth, improving yard working conditions, and enhancing station aesthetics. Because of its porous nature, gravel will retard the flow of oil and readily contain oil discharges.

Recognizing that gravel surfacing is not a primary or secondary containment method, and because of these impracticable containment situations, Montana-Dakota provides the following:

- An oil spill contingency plan, following the provisions of 40 CFR 109. This plan is found in Section E of this plan. It includes notification information, an inventory of spill control equipment, a description of personnel responsibilities, the internal spill report form, and other information.
- A written commitment of labor, equipment, and materials required to expeditiously control and remove any harmful quantity of oil discharged. This is also found in Section E of this plan.

#### **5. Inspections and Records (40 CFR 112.7(e))**

Inspections of substations and storage areas are completed monthly by qualified personnel under usual and customary business practices. Inspections of PCB storage areas, containers, and secondary containment are completed every 30 days when regulated materials are present. Personnel familiar with PCB procedures perform weekly inspections if non-leaking equipment is temporarily stored beside the permanent storage area.

Regional personnel keep inventories of PCBs and PCB items, including transformers, capacitors and their associated dielectric fluid; pipe condensate; and storage inventories. These records include weights, locations, dates, and other information required by 40 CFR 761. This information is transmitted to the General Office, which compiles the information into the Annual PCB Report.

The regions maintain an inventory of all major substation equipment and whether or not it contains PCBs. All major substation equipment has been tested for PCBs and is identified by label as to its concentration. As stated above, qualified personnel conduct inspections of transmission or distribution substations at least once per month. All inspections and SPCC records are kept on file for a minimum of three years.

Where applicable, container integrity testing will be performed on a regular schedule (not to exceed ten years) and whenever material repairs are made. In addition to visual external inspections, testing of metal tanks must include shell testing (e.g. hydrostatic, radiographic,

ultrasonic, etc.). Testing will be done in accordance with American Petroleum Institute (API) Standard 653. Inspection records will be kept on file at the facility for the life of the tank.

#### **6. Personnel, Training and Spill Prevention (40 CFR 112.7(f))**

The designated person in each region accountable for oil spill prevention is the regional manager. All affected regional personnel are aware of this SPCC Plan, and are trained annually to identify, mitigate, and report oil discharges or potential oil discharges in accordance with this plan.

#### **7. Security (40 CFR 112.7(g))**

Montana-Dakota management and safety personnel review security practices regularly. Locked steel chain link fences normally isolate electrical equipment in substations, and border and district stations. Permanent and temporary PCB storage areas are also controlled, and are accessible only to employees of Montana-Dakota. Security lighting is provided at facilities where Montana-Dakota management has concluded it to be prudent.

#### **8. Facility Tank Truck Loading/Unloading (40 CFR 112.7(h))**

The Facility does not have a loading/unloading rack. This requirement does not apply.

#### **9. Brittle Fracture Evaluation (40 CFR 112.7(i))**

No field-constructed above ground containers exist at these facilities. This requirement does not apply.

#### **10. Conformance with State Requirements (40 CFR 112.7(j)) (Exempt for Tier I sites)**

Specific rules and regulations include, but are not limited to provisions of the Clean Water Act, Oil Pollution Act, SPCC Rules (40 CFR 112), and the PCB Rules (40 CFR 761). This plan has been written with consideration of all applicable State rules and regulations within Montana-Dakota's service territory. Montana-Dakota will continue to monitor applicable State requirements and will amend this plan as necessary.

#### **11. Qualified Oil-filled Operational Equipment (40 CFR 112.7 (k))**

As stated previously in Section 4 of this plan, due to electrical shock hazards associated with impounded water at substations, and the need to assure good access with heavy equipment at all times for maintenance, it is impractical to provide secondary containment structures around electrical substations.

Typical designs require four to six inches of rock gravel surfacing in all electrical facility yards. This design feature benefits the operation and maintenance of the facility by providing proper site drainage, reducing step and touch potentials during short circuit faults, eliminating weed growth, improving yard working conditions, and enhancing station aesthetics.

Recognizing that gravel surfacing is not a primary or secondary containment method, and because of these impracticable containment situations, Montana-Dakota provides the following:

- An oil spill contingency plan, following the provisions of 40 CFR 109. This plan is found in Section E. It includes notification information, an inventory of spill control equipment, a description of personnel responsibilities, the internal spill report form, and other information.
- A written commitment of labor, equipment, and materials required to expeditiously control and remove any harmful quantity of oil discharged. This is also found in Section E of this plan.

### **12. General Requirements for Onshore Facilities (40 CFR 112.8(a))**

This section lists additional requirements for **bulk storage** containers. The goal of this section is to ensure the structural integrity of all storage tanks, thereby providing spill prevention.

### **13. Facility Drainage (40 CFR 112.8(b))**

All permanent PCB storage areas are located at elevations above the 100-year flood elevation. Oil-filled electrical equipment inventory is located away from storm water drainage areas. In general, electrical facilities are designed to be well drained, as discussed in (4) above.

Where applicable, drainage of water from all secondary containment devices must be done under supervision, and only after visually verifying that no oil is present. If oil is present, the source must be identified and eliminated, and measures must be taken to assure the material is properly disposed of. A storm water drainage log is included in Appendix 3.

### **14. Bulk Storage Containers (40 CFR 112.8(c))**

All bulk storage containers (tanks) for oil are constructed of materials compatible with their contents. All aboveground containers are required to be tested for integrity on a regular basis. Inspection procedures are described below.

#### **Oil-Filled Equipment**

Oil-filled equipment at substations and Regional facilities may include transformers, regulators, oil circuit breakers, capacitors, and bushings. This equipment is connected to the site primary power distribution system. Each electrical substation is on a level site with a gravel base with some transformers on concrete pads. All oil-filled electrical equipment (transformer, regulator etc.) are exempt from secondary containment requirements.

Personnel trained to detect oil leaks before they become significant will detect slow leakage of an electrical device during the monthly inspections of substation equipment. Additionally, when a device loses 10 percent of the insulating oil, electrical failure will result. This failure will result in loss of electrical service and customer calls to the Dispatch Center.

Regional facilities may include a warehouse and service center where oil-filled equipment can be stored and/or serviced. Maintenance generally occurs indoors and leaks from equipment being serviced will be noticeable during maintenance. Equipment stored outside is inspected during monthly inspections.

**Shop Fabricated Aboveground Tanks**

These tanks are visually inspected at least monthly for leaks and signs of deterioration. Non-destructive tank integrity testing will be performed when reasonable suspicion is raised by deficiencies identified during inspections, review of maintenance records, age, or design life; but no less frequently than every ten years. This applies to tanks more than 1,000-gallon capacity in secondary storage and all tanks if the visual inspection indicates an issue. Review of this item will be addressed by the PE during the SPCC renewal every 5 years or if a tank larger than 1,000 gallons capacity is added to the site.

In the event that a deficiency is found, immediate action will be taken to correct the problem. If the problem cannot be corrected the oil will be transferred to another container(s). Container integrity testing will be performed on a regular schedule (not to exceed ten years) and whenever material repairs are made. In addition to visual external inspections, testing of metal tanks must include shell testing (e.g. hydrostatic, radiographic, ultrasonic, etc.). Testing will be done in accordance with American Petroleum Institute (API) Standard 653. Inspection records will be kept on file at the facility for the life of the tank.

Visible discharges which result in the loss of oil from the tank from seams, gaskets, piping, pumps, etc. will be promptly cleaned up and the cause of the discharge corrected. Any oil that had accumulated in diked or containment areas will also be collected and disposed of according to all state and federal requirements.

**Drums and Other Small Containers**

Drum storage areas around the facility are visually inspected for leaks and signs of deterioration at least monthly. More thorough testing such as ultrasonic testing on drums and small containers is generally impractical. Therefore, drums that show more than a minor amount of weathering, rusting, dents, scrapes, or any other kind of damage shall be decommissioned as soon as practicable.

**15. Facility Transfer Operations (112.8(d))**

No underground transfers of oil occur at the site.

**SECTION C**  
**SPILL RESPONSE PROCEDURES AND NOTIFICATIONS (40 CFR 112.20)**

**1. Basic Response Procedures**

If safely possible, the person that discovers or causes a discharge of oil, whether or not it qualifies as a reportable discharge (**spill event**), should eliminate the source immediately. If, in the judgment of that person it is preferable to secure other assistance first, that should be accomplished.

Small releases of uncontaminated oil that do not qualify as a spill (per the definition) and that are readily contained and properly cleaned up are not subject to the following procedures.

Persons discovering discharges that result in spill events, any discharges involving PCBs in concentrations greater than or equal to 50 ppm, or those where the PCB concentration is unknown must report the discharge to their immediate supervisor and the Environmental Department. The responder and/or the supervisor must submit a spill report with the following information to the Environmental Department (see Appendix 2):

- Time and date of spill
- Location of spill
- Amount of oil spilled and type of device involved
- Measures taken to control the spill
- Weather conditions
- Estimated surface area

The Environmental Department will make the determination if the spill qualifies as a reportable event and will contact the appropriate regulatory agencies if and when that determination is made.

**2. Agency Notification Procedures**

When an oil discharge (whether the oil contains PCBs or not) has become a **spill event**, the following steps should be followed to insure the agencies are notified by telephone in a timely manner.

***Step 1:***

Contact one of the following people at the General Office Environmental Department:

Andy McDonald	701-222-7941 (O)	701-391-0071 (mobile)
Abbie Krebsbach	701-222-7844 (O)	701-663-9178 (mobile)
Kalle Godel	701-222-7657 (O)	651-245-2759 (mobile)

General Office personnel will complete the required notification procedures to the National Response Center, State, and EPA as required below.

***Step 2:***

Notification to the federal and state agencies is required as soon as the person in charge has knowledge of a discharge of oil in harmful quantities to navigable waters. In reality, the notification needs to be made when the situation has been evaluated and response has already begun. Agencies listed in sections A and B below need to be notified if a spill event involves uncontaminated oil. If a reportable quantity of PCBs is discharged, even if the spill is controlled and confined to Montana-Dakota's property, agencies listed in sections A, B, and C below need to be notified. It is imperative to speak with an actual person when calling these phone numbers. Leaving a recorded message with the spill information is not acceptable notification.

**A. The National Response Center**

US Coast Guard – National Response Center  
Washington, DC (800) 424-8802 (24 hours/day)

Be prepared to provide the following information:

- Your name, title, and telephone number
- Your company's name and address
- Date, time, and location of the spill
- Material spilled, source of spill, total amount spilled
- Water body involved
- Amount in the water
- Weather conditions
- Number and type of injuries
- Continuing danger to life or environment
- Description of the cleanup plans
- Other agencies that have been notified.

**B. The Appropriate State Agency**

<u>North Dakota</u>	ND Dept. of Health State Radio	(701) 328-5210 (800) 472-2121
<u>South Dakota</u>	Dept. of Environment and Natural Resources (Notification during business hours)	(605) 773-3296
	Division of Emergency and Disaster Services (For after-hours notification)	(605) 773-3231
<u>Montana</u>	Montana Disaster and Emergency Services	(406) 431-0411
	Contact this number if no one answers at the number above MT DEQ Duty Officer	(406) 431-0014
<u>Wyoming</u>	Dept. of Environmental Quality	(307) 777-7781

**C. Environmental Protection Agency**

If PCBs are present and exceed the reportable quantity, in addition to the National Response Center and the appropriate state, the EPA must be contacted at (800) 227-8914.

A. When notifications are necessary, be prepared to provide the following:

- your name, title and telephone number
- your company's name and address
- date, time and location of the spill
- material spilled, source of spill, total amount spilled, amount in the water
- weather conditions
- number and type of injuries
- continuing danger to life or environment
- description of cleanup plans
- other agencies that have been notified
- if the spill resulted from transportation, be prepared to provide the rail car number or the truck number, the name of carrier and the name of the manufacturer or shipper

Be certain to record the contacts that were made, the time of day, and any other pertinent information from the call. The National Response Center will provide you with an "incident number" that you must record, and include with any subsequent correspondence.

If the release of oil occurs outside of secondary containment, or has breached a secondary containment structure, the employee will respond to a spill as follows:

1. Immediately take appropriate action to prevent any further release of the material so as to minimize the impact on the environment, taking into account all necessary safety measures (*i.e.*, use of proper personal protective equipment).
2. Notify the Facility Supervisor, or send someone to notify the Facility Supervisor, of the exact location and nature of the release and return to the location of the release.
3. Remain near the location of the release until instructed by the Facility Supervisor.

The Facility Supervisor will do the following:

1. Contact Montana-Dakota Environmental Department and follow internal reporting protocol. The Environmental Department will make the appropriate notifications to regulatory agencies.
2. Assess the situation at the site to determine the extent of the release and the size and capabilities of the crew needed for containment and/or cleanup.
3. In coordination with the Environmental Department, mobilize appropriate personnel and/or contractors, as required, insuring that all necessary safety measures are taken (*i.e.*, use of proper personal protective equipment). Coordinate all work at the site to effectively control and contain the released material, as well as to remediate (*i.e.*, clean up) the area.
4. In coordination with the Environmental Department, retain qualified environmental consultants to obtain appropriate samples and a USEPA accredited laboratory for analyses to aid in ultimate disposition of spilled materials, if necessary, as well as to document remedial actions.
5. In coordination with the Environmental Department, retain contractors to arrange transportation if material is sent offsite for disposal at an approved Facility.
6. The Environmental Department will assist with proper record keeping, including manifesting for transportation and disposal if material is sent off-site.
7. Gather necessary information concerning the release, cleanup efforts, and indication of the known or suspected cause of the incident to provide recommendations for Facility modifications and/or new or revised procedures to be implemented to avoid future recurrences of the incident.

**RESPONSE MEASURES**

Response measures may include strategic placement of booms, the use of absorbent materials, or the construction of temporary dikes, swales, or berms to prohibit or control the flow of spilled materials. Absorbent materials, booms, pumps, and containers will be used appropriately to contain and recover spilled materials. Outside services such as disposal

contractors, fire departments, and hazardous materials response teams may also be enlisted as necessary.

### **OUTSIDE ASSISTANCE**

The Facility Supervisor, in coordination with the Environmental Department, will be responsible for contacting outside emergency response organizations in the event their services are needed. Outside assistance may be requested for fire, spill control and cleanup, disposal, and medical emergencies. The Facility Supervisor, in coordination with the Environmental Department, will also be responsible for retaining cleanup and/or disposal subcontractors and procuring necessary materials and equipment.

### **CLEANUP AND DISPOSAL**

All spill cleanup activities will be conducted under the general supervision of the Facility Supervisor and the Environmental Department, who will designate plant personnel, equipment and authorize outside assistance as needed. Spill residues and other contaminated materials will be characterized using safety data sheets, analyses, or other available information and disposed in accordance with applicable regulations in a manner, which has been approved, by the management and the appropriate regulatory agencies. Any supplies or equipment depleted or destroyed because of the spill or subsequent response activities will be replaced as soon as possible. Spilled material, contaminated soils and water, and contaminated materials used in the response will be handled and disposed of in accordance with local, state, and federal waste regulations.

**SECTION D**  
**MANAGEMENT OF DISCHARGES AND SPILLS OF OIL CONTAINING PCBs**

**1. Spill Reporting**

PCB spills are reportable (See Section C) when the concentration is greater than or equal to 50 ppm and the spill contaminates surface water, sewers, drinking water supplies, grazing lands or vegetable gardens. Any PCB spill that exceeds the reportable quantity (RQ) of greater than or equal to one pound of PCBs (see definition), is also reportable using the procedures in Section C of this plan.

**2. Spill Response**

The employee discovering a spill should use caution and judgment to determine whether an interim response can be done with materials on-site. Personal protective equipment (PPE) including disposable overalls, boots and gloves, is necessary when contact with PCBs is possible.

The supervisor or Environmental Department, upon notification that a PCB spill has occurred, must dispatch a cleanup crew immediately. The cleanup crew shall be provided necessary PPE, absorbents, and other equipment required to clean up the discharge. The crew shall take necessary measures to assure containment and prevent the spill from reaching any sewer or surface water. The area must be secured to prevent members of the public from contacting the spilled fluid.

Cleanups resulting from discharges or spills of oil with 50 ppm PCBs or more must be handled within the following requirements:

- Cleanup procedures must be completed within **48 hours** of notification of the spill, unless delayed by adverse weather conditions or a limited number of other exemptions. Any decision to delay cleanup must be approved by Environmental Department personnel, and all reasons are to be documented until the cleanup actually begins. If the concentration is >500 ppm, cleanup procedures must only be initiated within 48 hours, not completed. In either case, contact the Environmental Department to determine which EPA spill cleanup policy/procedure would be most appropriate for each specific spill.
- If inadequate visual traces of the limits of the spill exist, cleanup boundaries are to be determined by sampling. Contact the Environmental Department prior to conducting sampling.

**SECTION E**  
**OIL SPILL CONTINGENCY PLAN**

*Montana-Dakota Utilities Co. is committed to supplying the manpower, equipment, and materials required to expeditiously control and remove any harmful quantity of oil discharged from any of its facilities.*

**Introduction**

Because there are impracticable containment situations (described in Section B(4) of this SPCC Plan) at various facilities, we believe a contingency plan is necessary to insure timely, efficient, coordinated and effective action to minimize damages resulting from oil discharges. The contingency plan is meant to be a stand-alone section of this SPCC Plan. It is to be utilized in the event of a spill, and is a summary of the procedures to be undertaken during a spill event. The contingency plan is comprised of the following:

1. Basic Oil Spill Response Procedures
2. Identification of Spill Responders
3. Methods of Mechanical Spill Containment
4. Recovery and Disposal of Spilled Oil
5. Equipment Inventory for Spill Control
6. Spill Report Form
7. Telephone Reporting Procedures

**1. Basic Oil Spill Response Procedures.**

- A. Identify spill. Eliminate source if possible.
- B. Notify supervision and Environmental Department who will mobilize response.
- C. Begin cleanup activities. Consult General Office environmental personnel.
- D. The Environmental Department will make agency notifications as necessary, be prepared to provide the Environmental Department the following information, at a minimum:
  1. Company name/location
  2. Name/title/telephone number of person reporting
  3. Location of spill
  4. Material spilled
  5. Quantity spilled
  6. Actions being taken for containment and cleanup
  7. Water bodies or streams involved

Local and state authorities have limited spill response capabilities. Therefore, if a situation exceeds the response capability of Montana-Dakota, contractors or regional authorities (Region VIII EPA) will be contacted for assistance. Note that this contact is independent of regular notification procedures. Montana-Dakota maintains an inventory of spill control supplies and equipment at locations in each operating region.

Montana-Dakota, in addition to maintaining the inventory of spill supplies listed in Section 5 below, maintains a list of spill control and abatement equipment suppliers and environmental

emergency response service contractors. Depleted inventory items can be quickly replenished or supplemented, and additional services can be obtained immediately if necessary.

## **2. Identification of Spill Responders**

The designated person responsible for implementation of the SPCC Plan and for achieving effective and timely spill response is the regional manager. The cleanup crew will consist of personnel familiar with the operation of electrical equipment, familiar with appropriate handling of oil or condensate containing PCBs, and familiar with the requirements of the SPCC Plan.

The cleanup crew supervisor is the designated “oil discharge response coordinator”, until such time as the Environmental Department is aware of the situation and deems it appropriate to assume or reassign that position.

## **3. Methods of Mechanical Spill Containment**

Spills on land are to be contained by berming soil at appropriate locations downgradient of the spill. During cold weather months soil would still be preferred but possibly unavailable. In this case, sandbags or floor-dry would be a good alternative. If heavy equipment is necessary to control the spill, the response coordinator shall mobilize it. Note that virtually any material that will provide a mechanism to slow or halt the escape of oil is acceptable for berm construction, as long as adequate materials are eventually put in place. Successive berms should be constructed to act as a safety measure, if determined to be necessary.

## **4. Recovery and Disposal of Spilled Oil**

Rapid collection of spilled materials is always advisable. Rain or other precipitation can easily turn a manageable situation into an emergency, spreading spilled oil uncontrollably. Keep weather conditions in mind when planning the cleanup.

Small spills on land can also be contained using absorbent booms, pads and wipers to collect spilled materials.

Spills on water can best be controlled using containment booms and absorbent booms. The difference between containment booms and absorbent booms is that containment booms (which are usually constructed of vinyl or plastic) have no ability to absorb oil. A spill on water would be contained by the containment boom, and removed with absorbent booms or absorbent wipers.

One end of the containment boom is normally fixed to the shore, and acts as a hinge point. The other end should be brought around the oil and fastened to the shore to form a corral. It may be necessary to tie anchors to the containment boom to keep it properly deployed. If not anchored, wind and current can push containment booms out of position.

Oil-soaked absorbent booms and wipers must be contained. If PCBs are present in concentrations greater than or equal to 50 ppm, these items must be placed in the appropriate open head drums for transportation and off-site disposal.

For oil that does not contain PCBs, it is acceptable to contain soaked booms and wipers in plastic bags, as long as secondary leaks are avoided. Most landfills cannot or will not accept wastes containing free oil. Free oil is normally wrung out from these materials using a commercial drum ringer, prior to disposal at a municipal waste landfill.

**5. Equipment Inventory for Spill Control**

The following equipment for spill control is located, at minimum, in all of the regional offices.

- Open-head, DOT specification 55-gallon drums
- Oil absorbent materials (booms, wipers, and rags)
- Oil resistant nitrile gloves
- Oil resistant disposable boot covers
- Disposable coveralls
- Shovels
- Dustpans
- Brooms/Mops
- Plastic Bags
- Caution tape
- Solvent
- PCB labels/Shipping papers

Other spill response equipment is available at retail safety/environmental supply stores in the larger communities such as Billings, Dickinson, Bismarck and Rapid City.

**Appendix 1**  
**SPCC Plan Review and Log Sheet**

This log is intended to track all minor changes to the 2011 SPCC Plan that does not require a Professional Engineer (PE) acceptance. A new plan will be developed when major changes are necessary and according to 40 CFR 112.

"I have completed a review and evaluation of the Region SPCC Plan on Comments: _____ Date _____	and WILL / WILL NOT amend the plan as a result." _____ Signature
"I have completed a review and evaluation of the Region SPCC Plan on Comments: _____ Date _____	and WILL / WILL NOT amend the plan as a result." _____ Signature
"I have completed a review and evaluation of the Region SPCC Plan on Comments: _____ Date _____	and WILL / WILL NOT amend the plan as a result." _____ Signature
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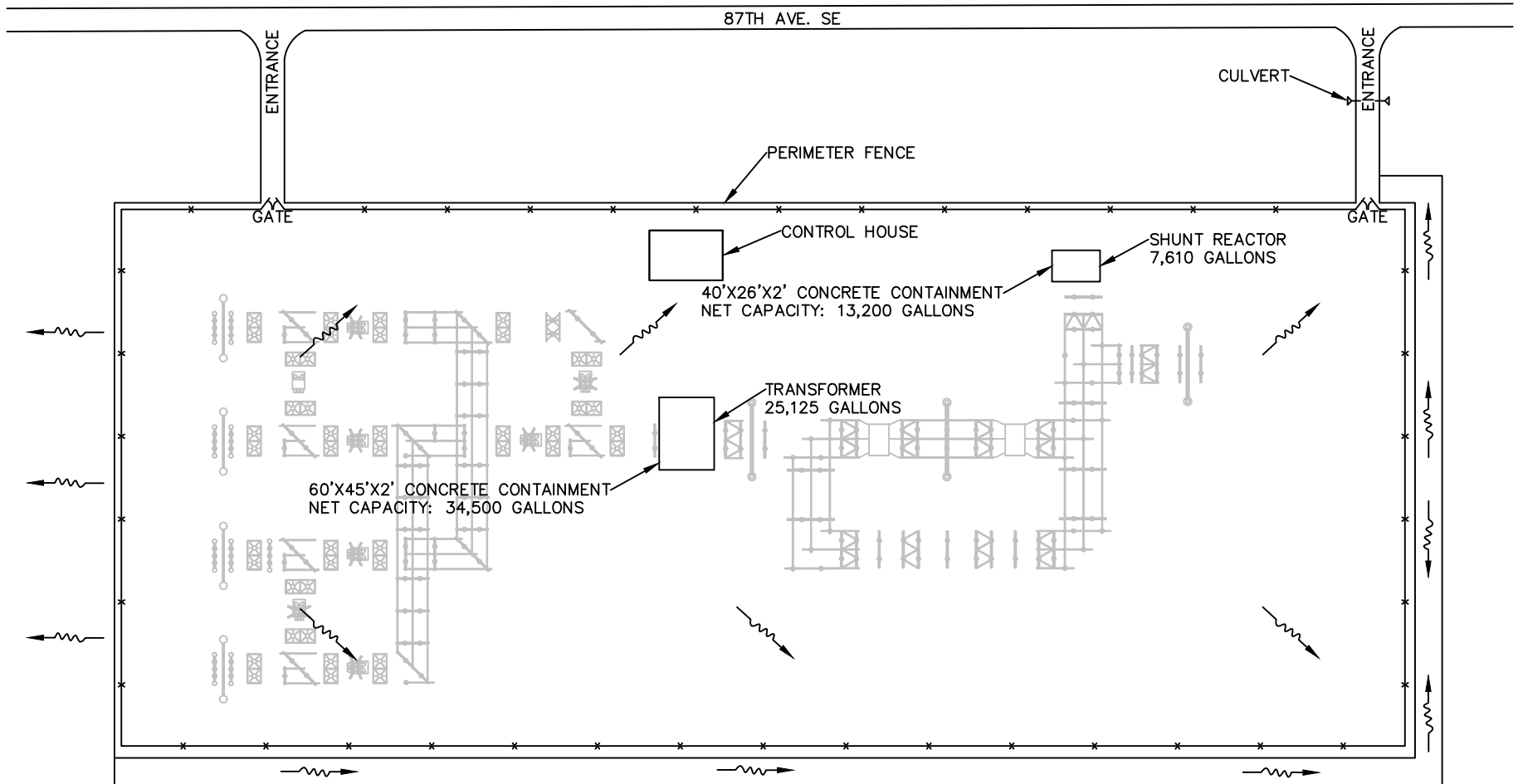
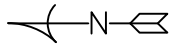
**Appendix 2 -Spill Report Form**

<b>Spill Reporting and Certification Form</b> <small>(includes spills from Non-PCB, PCB, PCB Contaminated Sources, and all other Environmental Contaminants)</small>	
Name of Responder/Reporter:	Position:
Date of Spill (mm/dd/yyyy):	Time of Spill:
Address of Spill (if available):	
Street Number:	
City:	
State:	
Description of the Spill Location and the Adjacent Area:	
Source of Spill:	
Brief Description of the precleanup sampling Methodology Used (if Required):	
PCB Concentration:	
Approximate Volume of the Spill:	
Date and Time Cleanup Operation initiated:	
Brief Description of the solid Surfaces Cleaned and the Wash/Rinse Method Used:	
Approximate Depth of Soil Removed:	
<b>The following certification statement is to be signed following cleanup of spills containing between 50 and 500 ppm PCB's and involving less than 270 gallons of oil (see Appendix A-1.b)</b>	
<b>I certify that the above described spill has been cleaned up according to the requirements of Montana-Dakota's SPCC Plans and the EPA Spill Cleanup Policy and the above information is accurate to the best of my knowledge.</b>	
Signature _____	Title _____
	Date _____

**Appendix 3 – Storm Water Drainage Log**

<p><b>Montana Dakota Utilities, Co. Substation and Regional Facility</b></p>	<p><b>Storm Water Drainage Log</b></p>
<p><b>Date:</b></p>	
<p><b>Containment Area:</b></p>	
<p><b>Estimated Amount of Water:</b></p>	
<p><b>Appearance of Water at Time of Pumping:</b></p>	
<p><b>Disposition of Water:</b></p>	
<p><b>Comments:</b></p>	
<p><b>Name:</b></p>	<p><b>Signature:</b></p>

*Maintain this form on-site for three years upon completion.*



**LEGEND**

- DRAINAGE ARROW
- FENCE

**REVISIONS**

NO.	DATE	DESCRIPTION
0	7/16/18	INITIAL DRAWING

**FACILITY DIAGRAM**

Montana-Dakota Utilities Ellendale Substation  
 T129N, R63W, S9 NENE  
 Dickey County, North Dakota



**FIGURE 1**