

June 6, 2014



**VIA HAND DELIVERY**

Mr. Darrell Nitschke  
Executive Secretary  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**RE: North Dakota Pipeline Company LLC, Sandpiper Project – Siting Application  
Case No. PU-13-848**

Dear Mr. Nitschke:

During the working session held by the North Dakota Public Service Commission (“Commission”) on May 23, 2014, regarding North Dakota Pipeline Company LLC’s (“NDPL”) Application for a Certificate of Need and Route Permit for the Sandpiper Pipeline Project (“Project”), the Commission requested that NDPL provide certain additional information related to the Project route in the Devils Lake area. Therefore, enclosed for filing is a Supplement to Late Filed Exhibit No. 5, which provides the requested information.

Also as requested, NDPL provides the following updates regarding the Gunderson-Salmonson Re-route and the Oakville Prairie Re-route:

- Gunderson-Salmonson Re-Route – NDPL has obtained all easements needed for the re-route, except for an easement from Bremer Bank. Bremer Bank has indicated that it is willing to execute an easement, but needs to correct certain title issues before it can do so.
- Oakville Prairie Re-route – NDPL has obtained all easements needed for the re-route, and will submit a formal request to the Commission for approval of the re-route early next week.



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Finally, NDPL respectfully requests that the Commission issue a Certificate of Need and Route Permit authorizing construction of only the facilities to be located on the Beaver Lodge, Stanley, Berthold and Lakota Pump Station sites. In order to meet the Project's proposed in-service date, NDPL needs to begin construction of the Station facilities as soon as possible. Station site preparation and construction of the breakout and storage tanks require additional time as compared to pipeline installation, and NDPL has only one summer construction season in which to construct the facilities. In order to keep the Project on schedule, facilities construction needs to begin on or about July 1, 2014. All construction will take place on property NDPL-owned.

NDPL understands that a notice of opportunity for hearing may be required for the Oakville Prairie Re-route, which will delay the issuance of a Certificate of Need and Route Permit for the entire Project. In order to avoid delaying construction of the facilities, NDPL requests that the Commission separately authorize construction of the Station facilities. Proposed Findings of Fact, Conclusions and Law and Order issuing a Certificate of Need and Route Permit for only the Station sites and associated facilities are enclosed.

An original and ten (10) copies of the above-referenced documents are enclosed. Copies of the documents have also been filed with the Commission via e-mail.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Steph Dassinger". The signature is fluid and cursive, with the first name "Steph" and last name "Dassinger" clearly legible.

**Stephanie Dassinger**  
**On behalf of Brian R. Bjella**

cc: Mitch Armstrong  
Brian Schmidt



1 **Q. Please state your name and business address.**

2 A. My name is Art Haskins. I am employed by Enbridge Employee Services, Inc. located at  
3 2505 16<sup>th</sup> Street, SW, Minot, North Dakota 58701

4  
5  
6 **Q. What is your position with North Dakota Pipeline Company?**

7 A. I am the Emergency Response Coordinator for North Dakota Pipeline Company's LLC  
8 North Dakota region.

9  
10  
11 **Q. What is your background related to Emergency Response?**

12 A. I was a flight paramedic with NorthStar Criticair Helicopter in Minot North Dakota where I  
13 also served on Trinity Hospital's Emergency Response Committee. I was also a medic in the  
14 North Dakota Army National Guard. I have been involved in Emergency Response, Exercise  
15 Planning, and training for more than 20 years in North Dakota.

16  
17  
18 **Q. Please describe your duties as Emergency Response Coordinator.**

19 A. I am responsible for providing specialist advice and support to regional personnel in the  
20 implementation of the North Dakota Pipeline Company LLC's Liquids Pipelines Emergency  
21 Preparedness and Response, which I will refer to in my testimony as ER, programs  
22 processes, procedures and initiatives within Canada and the US. In addition, the ER  
23 Coordinator assists and supports the development and maintenance of ER programs,  
24 processes, and procedures as required ensuring their ongoing effectiveness and consistent  
25 application within the North Dakota Pipeline Company LLC. Further, the ER Coordinator  
26 liaises with local emergency response agencies.

27  
28  
29 **Q. What is the purpose of your testimony?**

30 A. The purpose of my testimony is to provide information regarding the ER program, processes  
31 and procedures for the Sandpiper Pipeline, as presented in the consolidated Application  
32 filed by North Dakota Pipeline Company LLC which I shall refer to as NDPL in my written  
33 testimony.

1 **Q. Please identify which sections of the Application you are sponsoring for the record.**

2 A. I am offering testimony in support of Section B.9 of the Application for a Route Permit, which  
3 I am co-sponsoring with Ms. Sara Ploetz, Mr. Mark Curwin, and Mr. Barry Simonson, as it  
4 relates to NDPL's ER program, processes and procedures for this Project.  
5  
6

7 **Q. Please describe NDPL's operational safety standards.**

8 A. The NDPL pipeline control center is located in Estevan, Saskatchewan, Canada. The control  
9 center is manned by pipeline operators 24 hours a day. A computerized pipeline control  
10 system allows these operators to remotely monitor and control the pipeline and related  
11 facilities. The control center also serves as an emergency center to receive calls from  
12 employees, the public or public officials reporting unusual conditions or pipeline failures.  
13

14 The computerized pipeline control system has been designed to control the pipeline within  
15 pre-established minimum and maximum operating pressures. Both the computer system  
16 and operating practices include procedures for responding to abnormal operating conditions,  
17 including emergency shutdown and isolation of the pipeline and notification procedures in  
18 the event of suspected emergencies.  
19

20 With respect to the pipeline itself, NDPL has an aggressive program in educating excavators  
21 and the public about the presence of the pipeline and preventing damage to the pipeline  
22 from excavating equipment. NDPL has joined in and supports the North Dakota One-Call  
23 System.  
24

25 NDPL conducts routine inspections of the pipelines and facilities to determine that the  
26 system is operating properly and in compliance with 49 CFR Part 145. The cathodic  
27 protection system is monitored by taking pipe/structure-to-soil and line current readings  
28 (where possible) each calendar year (not to exceed a 15-month interval). Additionally, each  
29 rectifier and anode groundbed used to impose cathodic protection on the pipeline is  
30 inspected to ensure proper operation. Repairs and adjustments to the cathodic protection  
31 system are either made during the annual survey or during later maintenance activities. At  
32 least six times per year, each critical cathodic protection interference bond to foreign  
33 structures is inspected and corrective measures are implemented, as needed.  
34

1  
2 **Q. How has NDPL prepared its employees, contractors and first responders for**  
3 **emergency response circumstances?**

4 A. Enbridge employees in Canada and the United States participate in regular emergency  
5 response drills and simulations to test and improve our preparedness procedures.  
6

7 In 2012 we staged more than 380 exercises, drills and equipment deployments across  
8 the company. Employees are trained through workshops, tabletop exercises where various  
9 scenarios are discussed, and procedural drills. We also perform full-scale exercises – 33 in  
10 2012 involving local emergency agencies using equipment to practice recovery and cleanup  
11 in various terrains and/or on water. We also deliver specialized training for the Enbridge  
12 Enterprise Emergency Response Team, a cross-business unit response team, to respond to  
13 large-scale events anywhere in North America that would require more resources than a  
14 single region or business unit could provide. The response team has been conducting major  
15 training exercises involving all of Enbridge's business units, emergency response  
16 contractors and consultants, and federal, state/provincial and local emergency response  
17 agencies.  
18

19 In 2013, the Incident Management Team participated in four section specific tabletop  
20 training exercises for the command, planning, logistics and finance sections. The Spill  
21 Management Team participated in 3 equipment deployment exercises where response  
22 equipment was deployed in real conditions. The exercises were held in Crookston,  
23 Minnesota, Burlington, North Dakota and Williston, North Dakota. The North Dakota region  
24 has all employees listed in a 3 deep ICS organizational chart to help with training as well as  
25 response. The Qualified Individuals, which I will refer to in my testimony as QI, who function  
26 as Incident Commanders also received additional training. There was also a Security  
27 tabletop exercise for the region. Last year 92% of NDPL's personnel participated in at least  
28 one response exercise. Also, first responder training was held on the following dates.

- 29
- 30 • April 20, 2013 - North Dakota State EMS Conference
  - 31 • June 5, 2013 - Michigan and Lakota First Responders
  - 32 • October 10, 2013 - Minot Fire Department
  - 33 • October 23, 2013 – North Dakota Environmental Managers Conference
  - 34 • December 3, 2013 - Grenora area First Responders

1 In 2014, there are more exercises planned so that employees and our first responders will all  
2 be able to participate in hands on training in their primary response area. National PREP  
3 standards require a minimum of one spill response tabletop and one equipment deployment  
4 exercise yearly which NDPL exceeds as demonstrated by our 2014 ER Exercise Calendar  
5 attached hereto my testimony as Exhibit A.  
6  
7

8 **Q. What ER equipment to NDPL have access to?**

9 A. From 2012 to 2013, \$50 million was spent to improve our equipment, training and overall  
10 response capabilities. This includes new equipment – ranging from containment booms to  
11 boats – that is deployed across our systems. Of this, the North Dakota region spent 1.5  
12 million on new dedicated ER equipment. Some of the highlights are:

- 13 • New response trailer and boom trailer for the Stanley area
- 14 • A new twin engine 26 foot work boat for the Williston area
- 15 • 20 foot airboat in Minot
- 16 • 40 foot storage containers with 7,500 feet of boom and equipment in Williston  
17 and Bartlett
- 18 • 40 foot storage container with absorbent in Minot

19  
20  
21 **Q. Please describe how NDPL trains its employees and emergency personnel to respond  
22 to emergencies.**

23 A. NDPL has established a comprehensive orientation, technical, safety, emergency and on the  
24 job training program for its employees. NDPL also conducts a comprehensive public  
25 education project to assure that the affected public and other interested parties are aware of  
26 how to recognize and avoid and/or respond to a pipeline emergency. The pipeline route is  
27 marked at all public roads and railway crossings at a minimum to increase the public's  
28 awareness of the pipeline.  
29

30 NDPL offers a free online Emergency Responder Education Program. The content is based  
31 on "Pipeline Emergencies," an industry-leading pipeline emergency response training  
32 program developed by the National Association of State Fire Marshals. The program also  
33 includes information specific to NDPL and the products transported on our system. Through  
34 the course, emergency responders will learn the basics of gas and liquids pipeline

1 operations, the potential hazards associated with the products transported by NDPL,  
2 pipeline emergency response tactics, and how to apply the information to real-life situations.

3  
4 NDPL has trained Emergency Response Ambassadors in each geographical area to provide  
5 additional face-to-face training and information to PSAPS (Public Safety Answering Points)  
6 and emergency responders with the primary focus being those within a 5 minute response  
7 time of the pipeline.

8  
9 In North Dakota we are active members of the North Dakota Pipeline Association and the  
10 Common Ground Alliance. The 4 ER Ambassadors and I have also presented Pipeline  
11 Emergencies to local first responders including The Minot Fire Department and Berthold Fire  
12 Departments training for the Minot Rural Fire Department is scheduled to tour March 2014.

13  
14  
15 **Q. Does NDPL have an Emergency Response Plan?**

16 A. Yes. Historically Enbridge had a plan referred to as Book 7. As of August 30, 2013, this was  
17 replaced with a new plan that was developed in consultation with the federal regulator  
18 PHMSA. Enbridge's new Integrated Contingency Plans, which I will refer to as ICP in my  
19 testimony, will serve as the emergency response plan for Enbridge U.S. Liquids Pipelines  
20 including NDPL. The ICP follows an industry recognized format for response planning, and  
21 received its five year approval from DOT/PHMSA on July 11, 2013, which was a significant  
22 milestone. Enbridge's plan was the first and only industry plan to undergo an extensive  
23 review process, which included the U.S. EPA, the U.S. Coast Guard and Canada's National  
24 Energy Board.

25  
26 The ICP replaces Book 7: Part 1 and 2 in the U.S. and is designed in two parts: Part 1 is the  
27 Core Plan that serves as the overall response tool, followed by Part 2 which is a series of  
28 annexes based on the geographical Response Zone (or Region), which provides more  
29 detailed supporting information and regulatory compliance documentation. The ICP is based  
30 on the Incident Command System which I will refer to in my testimony as ICS, which  
31 promotes an integrated and coordinated response. The Regional Incident Management  
32 Teams which I will refer to in my testimony as IMT, Spill Management Teams which I will  
33 refer to as SMT along with business support groups will use the ICP to effectively manage  
34 an emergency.

1  
2 The ICP will be reviewed annually. In addition, the ICP may undergo additional revisions in  
3 the event of critical review with stakeholder (PHMSA, EPA, State Health) approval, change  
4 in regulations that affect the plan or operational changes.  
5

6 **Q. Do NDPL employees receive training in responding to emergencies?**

7 A. Yes. NDPL has trained approximately 1,000 employees to date which encompasses  
8 essentially all of the personnel who we anticipate to be involved in responding to incidents in  
9 Incident Command System, which I will refer to in my testimony as ICS, levels 100, 200 and  
10 300. ICS is the common system used by first responders, the military and civil authorities  
11 across North America for responding to incidents. ICS training continues on an on-going  
12 basis and more members of the NDPL team will be trained and available in the event of an  
13 incident.  
14

15 Based off the peer review comments of U.S. Federal regulators, and as part of the release  
16 of the ICP(s), the Emergency & Security Management Department has developed two  
17 courses to support the plan and all Emergency Management Programs:  
18

19 • Incident Command System Awareness is a course that all U.S. LP employees will be  
20 required to complete by the end of 2014. This course is a high-level overview of the Incident  
21 Command system, how to report an incident to Enbridge Control Center(s) and what actions  
22 may be taken by the Company when an incident has been confirmed.  
23

24 • The Enbridge Responder Awareness is a course that will be completed by on-call  
25 personnel responsible for 24-hour response. The Enbridge Responder Awareness course is  
26 a course that has been in Canada for many years, and will soon be unveiled across the  
27 entire pipeline system. The course briefly covers the roles and responsibilities for on-call  
28 company responders, the procedures to take when an incident is confirmed as well as other  
29 duties when standing up the Incident Command System.  
30

31  
32 **Q. Has NDPL entered into arrangements with those organizations in the localities where**  
33 **the pipeline runs to ensure they can appropriately assist in the event of an incident?**

1 A. NDPL has also launched the Emergency Responder Education Program to more than 8,000  
2 agencies along the right of way in the U.S. to educate local first responders on the  
3 products and risk associated with the pipeline. The Emergency Response Action Plan,  
4 which I will refer to in my testimony as ERAP, is a condensed version of the ICP that and will  
5 be distributed internally and externally to response agencies as it does not contain sensitive  
6 information.

7  
8 In addition, Enbridge has held 381 exercises, drills and equipment deployment events  
9 across our operations in Canada and the US in 2012 involving both Enbridge personnel and  
10 local responders. These are regular and frequent events that continue across all of our  
11 locations to ensure that personnel are trained to respond to an incident and able to address  
12 the unique features of their environment. From 2012 to 2013 we have spent \$50 million to  
13 improve equipment, training and response capabilities of all responders.

14  
15 In North Dakota, I worked with the 4 trained ER Ambassadors, Community Relations, and  
16 Public Awareness to provide response information to first responders along our pipeline.  
17 The Enbridge Pipeline Emergencies program was presented at the State EMS Conference,  
18 Nelson County, Grenora, and in Rugby. Enbridge also participated in 9 of the North Dakota  
19 Pipeline Association dinners which are a training session for first responders. On February  
20 28th I will be presenting on pipeline emergencies at the North Dakota State Fire School.  
21 Locally the ERAPS are given to first responders.

22  
23 **Q. Will the Sandpiper Pipeline have its own Emergency Response Plan?**

24 A. The Sandpiper Pipeline Project will be covered by the North Dakota and Superior Response  
25 zones of the Integrated Contingency Plan. Each Response zone has an Emergency  
26 Response Action Plan that is provided to company and external first responders. The Plan's  
27 primary purpose is to ensure an effective, comprehensive response that will prevent injury or  
28 damage to company employees, the public and mitigate any possible impact on the  
29 environment. The specific objectives of the Plan are to:

- 30  
31
- Provide guidelines for handling an emergency response operation.
  - Define alert and notification procedures to be followed when an emergency response  
32 incident occurs.
- 33

- 1 • Document equipment, manpower and other resources available to assist with an  
2 emergency response incident response.
- 3 • Describe response teams, assign individuals to fill the positions on the team and define  
4 the roles and responsibilities of team members.
- 5 • Define organizational lines of responsibility to be adhered to during an emergency  
6 response incident response.
- 7 • Outline response procedures and techniques to be used during an emergency response  
8 incident. The response procedures are identified in the new Inland Tactics Guide.
- 9 • In the Spirit of U.S. Homeland Security Presidential Directive 8 to take an “All Hazards, All  
10 Risks” approach to Emergency Response in this Plan.

11  
12  
13 **Q. On a day-to-day basis, what is being done at NDPL to maintain and improve overall**  
14 **system integrity and operational safety?**

- 15 A. We focus on the conditions that have been known to cause pipeline failures in the past and  
16 then work to minimize the risk. We invest heavily every year in the most advanced  
17 release detection, damage prevention and pipeline integrity management technologies.

18  
19 We're recognized by our peers as being at the forefront in the use of the best  
20 technologies. We work collaboratively with pipeline inspection vendors – challenging the  
21 limits of their technology and supporting research, development and testing of new tools  
22 that further advance our prevention capabilities.

23  
24 We also work to operate our pipelines in a way that protects the quality we build in at the  
25 start, and maximizes the integrity of our systems. For example, we strive to manage and  
26 minimize pressure cycling on our pipelines – the fluctuations that occur in the course of  
27 operations as you start and stop pumps and move crude oil products with different densities  
28 and viscosities – so that we reduce the stresses that can lead to wear on our pipeline  
29 systems.

30  
31  
32 **Q. How are pipeline releases detected?**

- 33 A. We monitor our pipelines for possible releases using four primary methods, each with a  
34 different focus and featuring differing technology, resources and timing. Used together,

1 these methods provide multiple layers of protection and comprehensive release detection  
2 capabilities.

3  
4 **Monitoring** - Enbridge's Pipeline Controller monitors pipeline conditions (such as  
5 pipeline pressure) through the Supervisory Control and Data Acquisition (SCADA) system,  
6 which is designed to identify and raise an alarm in response to unexpected operational  
7 changes such as pressure drops, which may indicate a release.

8  
9 **Visual surveillance and odor reports** - These are reports of oil or smell of oil provided by  
10 third parties and from Enbridge's aerial and ground line patrols. Third-party reports are  
11 handled through a toll-free 1-800 emergency telephone line, which the public near our  
12 systems and local emergency officials are made aware of through Enbridge's public  
13 awareness programs. Our Liquids Pipelines business unit typically conducts aerial line  
14 patrols every two weeks on its entire system, while Enbridge Gas Distribution conducts  
15 weekly patrols on most of its lines. Gas Transportation also conducts a series of release  
16 surveys, including mobile, building and walking surveys.

17  
18 **Scheduled line-balance calculations** - We calculate oil inventory at fixed intervals,  
19 typically every two hours and every 24 hours, to identify unexpected losses of  
20 pipeline inventory that may indicate a possible release.

21  
22 **Computational pipeline monitoring which I will refer to in my testimony as CPM** - CPM  
23 is a computer-based system that utilizes measurements and pipeline data to detect  
24 anomalies that could indicate possible releases. The CPM system provides a sophisticated  
25 computer model of NDPL's pipelines that continuously monitors changes in the  
26 calculated volume of oil between two fixed points on the system. If the calculated volume of  
27 oil is less than expected, then an alarm is triggered in Enbridge's Control Centre. The cause  
28 of the alarm is investigated immediately. This system is sensitive to ½ of 1% and is  
29 calculated every 5 seconds. For 210,000 barrels a day the amount is as little as 5 gallons.  
30 Detecting pinhole releases are very difficult for any pipeline operator to detect, as a result  
31 Enbridge is using sophisticated acoustic technology carried by in-line inspection tools that  
32 move through the pipeline. These tools are so sensitive that they can detect, for example, a  
33 release of 8 gallons per hour on a line that's delivering 8 million gallons an hour.

34

1 **Q. How soon would you know if a release occurred?**

2 A. The pressure loss and statistical delivery and receipt detection are monitored constantly. Any  
3 pressure loss or delivery mismatch is identified immediately based on the technology that is  
4 employed  
5

6 **Q. What are you doing to work toward zero incidents, spills, or releases from your liquids  
7 pipeline systems?**

8 A. **Inspections** - We inspect all of our mainline system from the inside out, using the most  
9 sophisticated inline inspection, which I will refer to in my testimony as ILI, tools available to  
10 us. While we've always been one of the biggest users of technology and technical  
11 resources for pipeline integrity, we've doubled our efforts and established Enbridge as  
12 an industry leader in the use of ILI tools.  
13

14 **Managing cracking** - NDPL is committed to being at the forefront of technological  
15 developments and research relating to cracking and its diagnosis. Cracking is a  
16 phenomenon that can occur in metals, including pipeline steel. We have rigorous programs  
17 in place for monitoring and managing cracking, our key activity being the use of high-  
18 resolution ultrasonic in-line inspection technologies.  
19

20 **Combating corrosion** - We look for and then prevent any corrosion of the steel in our  
21 pipelines and facilities. We achieve this by using anti-corrosion coatings; low electrical  
22 currents that protect the steel against corrosion; chemicals to prevent internal corrosion;  
23 regular monitoring and inspections; and cleaning pipes from the inside with in-line devices  
24 known as "pigs."  
25

26 **Integrity within facilities** - We aim to operate and maintain all of our facilities, including  
27 pump stations and terminals, in a safe, responsible manner. We accomplish this through our  
28 design standards; equipment and construction specifications; commissioning, operating and  
29 maintenance procedures; and targeted tankage, equipment and piping inspections. A team  
30 of subject-matter experts in Engineering, Operations and Integrity guides a release  
31 reduction program for the network of facilities throughout our liquids pipelines system,  
32 including pump stations and terminals.  
33  
34

1 **Preventing mechanical and third-party damage** - We strive to prevent any dents,  
2 scrapes, and other damage to our pipes and facilities during construction and operation or  
3 by third parties. Given that third-party damage is one of the leading causes of pipeline  
4 releases, public awareness is a vital element of pipeline safety. Enbridge has a  
5 comprehensive public awareness program in place to engage landowners, community  
6 members and first responders to ensure that they are aware of our pipelines and related  
7 facilities.

8  
9 **Replacement programs** - When needed, we replace our pipes and facilities.

10  
11  
12 **Q. Are there HCA/waterbody specific safety measures that NDPL has implemented to**  
13 **prevent releases from causing adverse effects to waterbodies?**

14 A. Yes. Immediately upon becoming aware of a discharge or emergency incident, part of  
15 NDPL's initial response by local personnel is to consult High Consequence Area (HCA) and  
16 Control Point (CP) Maps and Tables developed by the Company for each region. The maps  
17 identify HCAs along the pipeline including: High Population Areas, Other Population Areas,  
18 Commercially Navigable Waters, Environmentally Sensitive Areas, and Drinking Water.  
19 These maps and tables are annually reviewed and updated in accordance with Company  
20 policy and in concurrence with the National Pipeline Mapping data.

21  
22 Regions maintain Control Point Map sets that identify product containment and recovery  
23 sites (control points) on high risk water-bodies that could be impacted by a pipeline release.

24  
25 Regional management is responsible for ensuring that a field reconnaissance of each  
26 control point is carried out at least once in a 3 year period.

27  
28 NDPL has also developed 3 Tactical Response Plans that add response tactics and ICS  
29 204 (work assignment lists) to the control points to improve response capabilities in  
30 identified critical areas.

31  
32  
33 **Q. How do multiple pipelines in a right-of-way affect emergency response?**

34 A. NDPL determined that as a result of having multiple pipelines in a right-of-way corridor it

1 would institute a policy wherein all of the pipelines would be shut down in the event of a  
2 possible incident. Each line would be evaluated and only restarted after confirming that the  
3 line could be safely restarted.

4  
5  
6 **Q. Does NDPL's Emergency Response Program meet or exceed all federal, state and**  
7 **local requirements?**

8 A. Yes. NDPL's Emergency Response Program will meet or exceed all federal, state and local  
9 requirements under the pipeline safety regulations, specified in 49 Code of Federal  
10 Regulations Part 194 and 195 and any applicable national technical standards.

11  
12  
13 **Q. In your opinion, if the proposed Sandpiper Pipeline and associated facilities are**  
14 **designed and constructed as set forth in this Consolidated Application, as presented**  
15 **in your written testimony and discussed during the public hearings, will this pipeline**  
16 **be capable of being safely operated?**

17 A. Yes.

18  
19  
20 **Q. Does this conclude your testimony?**

21 A. Yes, it does.

# 2014

## Enbridge Holidays and ER Exercises

### JANUARY

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### JANUARY 1

New Years Day

### FEBRUARY 12

Ice slotting Grand Forks Red River

### FEBRUARY 26

Ice slotting Minot Souris River

### MARCH 11

Ice Slotting Williston Missouri River

### APRIL 8

Planning Section TTX Minot

### APRIL 18

Good Friday

### APRIL 22

Operation Section TTX Minot

### MAY 20

Finance Section TTX Minot

### MAY 26

Memorial Day

### JUNE 17

Equipment Deployment Williston Missouri River

### JUNE 25

Equipment Deployment Minot Souris River

### JULY 4

Independence Day

### JULY 15

Equipment Deployment Stanley

### AUGUST 12

Equipment Deployment Grand Forks Devils Lake

### AUGUST 26

Security TTX Minot (not open outside of Enbridge)

### SEPTEMBER 1

Labor Day

### SEPTEMBER 23

Logistics Section TTX Minot

### OCTOBER 14

Command Section TTX Minot

### NOVEMBER 27 and 28

Thanksgiving

### DECEMBER 25 and 26

Christmas

**Please RSVP if you would like to attend and Exercise**

Art Haskins

Emergency Response Coordinator

701 857 0938 office

701 389 8468 cell

email [art.haskins@enbridge.com](mailto:art.haskins@enbridge.com)



## Exhibit A

### Summary of Risk Assessment for Valve Placement Near Devils Lake – Sandpiper Pipeline Project

#### North Dakota Pipeline Company, LLC

June 6, 2014

#### Background and Summary:

This document describes the approach to valve placement in the Devils Lake area and demonstrates compliance with the valve location requirements of 49 Code of Federal Regulations Part 195 (Transportation of Hazardous Liquids by Pipeline). Paragraph 195.260 Valves: Location, includes a requirement to install a valve “on each side of a water crossing that is more than 100 feet (30 meters) from high-water mark to high-water mark...” North Dakota Pipeline Company LLC (“NDPL”) uses an Intelligent Valve Placement (“IVP”) approach to identify optimal valve locations to protect major water crossings and high consequence areas in the event of a pipeline release.

#### Major Water Crossings:

The NDPL IVP analysis for the Sandpiper Pipeline Project (“Project”) recommends installation of two valves in the Devils Lake area. These valves will serve to protect two major water crossings located in the general area of Devils Lake, a crossing of the Mauvais Coulee and a tributary of the coulee. These crossings are located at approximately mileposts 183.6 and 179.6, respectively. The valves identified in the NDPL IVP analysis are:

- LPRM8 – located upstream of both crossings at approximately milepost 175.6; and
- LPRM9 – located downstream of both crossings at approximately milepost 196.2.

These valves are also upstream and downstream, respectively, of the expected limits of Devils Lake should Devils Lake reach an elevation 1458 feet above mean sea level. This is the level at which Devils Lake would overflow into the Sheyenne River and, therefore, acts as a limit to the eventual potential size of Devils Lake. The elevations of the valves are approximately 1487 feet and 1465 feet, respectively. The valve locations are well above the ultimate elevation of Devils Lake. **Exhibit A** to this document shows the locations of the valves relative to Devils Lake at its highest anticipated level of 1458 feet.

In summary, the planned valves that will protect the Mauvais Coulee and its tributary will also effectively protect any anticipated expansion of Devils Lake into the route of the Project.

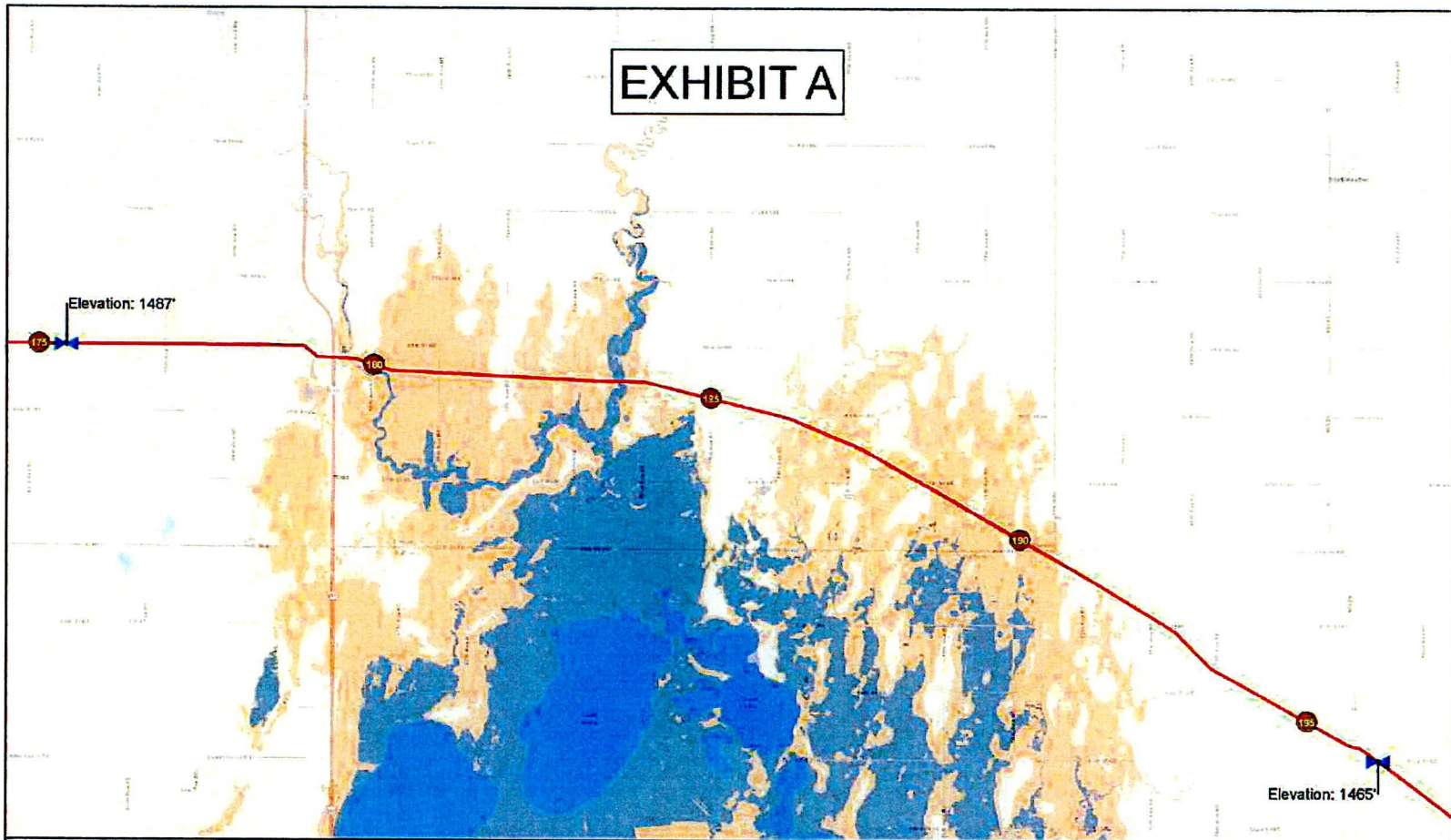
#### High Consequence Areas:

The NDPL IVP analysis for the Project also evaluates the need for valves to protect high consequence areas (HCAs). With respect to liquid petroleum pipelines, designating an area as “high consequence” focuses on populated areas, drinking water sources, and unusually sensitive ecological resources.

- "Populated areas" include both high population areas (called "urbanized areas" by the U.S. Census Bureau) and other populated areas (areas referred to by the Census Bureau as a "designated place").
- "Drinking water sources" include those supplied by surface water or wells and where a secondary source of water supply is not available. The land area in which spilled hazardous liquid could affect the water supply is also treated as an HCA.
- "Unusually sensitive ecological areas" include locations where critically imperiled species can be found, areas where multiple examples of federally-listed threatened and endangered species are found, and areas where migratory water birds concentrate.

The NDPL IVP analysis for the Project evaluated HCAs along the entire Project route. No HCAs are located in the Devils Lake area. Thus, no additional valves are required.

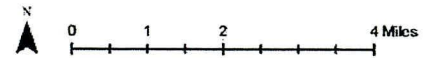
# EXHIBIT A



— Proposed Sandpiper Pipeline Route  
✚ Proposed Valve Locations

Original Lake Boundary  
Current Water Level (1452' MSL)

1458' (Overflow to Sheyenne River)  
1458' +



Elevation data is based on NAVD 88 datum.

Elevation data based on LiDAR from ND State Water Commission & Red River Basin Mapping Initiative 2008-2010.

## Exhibit B

### Testimony Regarding Emergency Response Protocols for Devils Lake Area Art Haskins, Emergency Response Coordinator – North Dakota

#### North Dakota Pipeline Company, LLC

#### Minot Public Hearing – February 27, 2014:

Q. [Commissioner Fedorchak] We also heard in Devils Lake concerns about spills in the water, if a spill were to get into the water, what are the Company's response protocols for that, how do you handle it, and then also one gentleman suggested there are parts of crude that are water soluble, can you speak to that at all and whether that is true or not and what can be done?

A. Sure. Primarily oil, since it is lighter than water, will sit on the top of the surface and that is why our main response techniques are related to providing booms, a float with a skirt that hangs down below the surface and that will direct the flow of oil to areas where we can recover that. So it, the technique used would depend on the type of situation into the water, if it is into the river where you have a moving current, then you have a boom across the river at an adequate angle will allow that oil to come to the shore where you can skim that oil off the surface and recover that product. If it is in an area where there is minimal water movement such as a lake, you may need to tow boom between two boats in a u-shape fashion and then corral that free product until you can bring it to, once again it to a skimming area where it can be recovered. In the event of a release underneath the ice, as we practiced yesterday with the Minot Fire Department, you would cut an ice slot across the ice, where you would remove a chunk of ice from those slots, the oil would come up into that slot area, travel down to, once again with current to a sump area where you can put in a skimmer and recover the product. So the techniques varied depending on the speed of the water and the type of water it is released in.

Q. [Commissioner Fedorchak] Remind me where you have your booms situated.

A. We have them currently in trailers located in Williston, in Minot, Stanley and Grand Forks and we also are placing a larger container of boom in Williston area and in Bartlett.

Q. [Commissioner Fedorchak] How important is the timeliness of your response when it comes to water?

A. So we are going to respond immediately to any sort of release, whether it is on water or in the soil or on the surface. The timeliness of the response would be related to potential HCAs [high consequence areas], if there was a water intake situation. We are to have, that is why we develop those tactical response plans, specifically for the Red River and the Red Lake River. So those are areas where we are going to put more concentration and more effort into being prepared for those types of response. Whereas, if water is released into a wetland situation, it is going to stay in that wetland and we will respond at the same appropriate speed, but the amount of time that you can take to clean up that area would not be as dependent for having secondary impact.

**Q. [Commissioner Fedorchak] You mentioned water intake, do you have tools to protect water intake areas situated close to every single one of them along the line?**

A. We work with the public water treatment managers so that we can notify them and they can shut that down and we can use our booming techniques to do that. And I just wanted to go back. You had asked the question about dissolved. There is a[n] environmental process to monitor for not only air quality, but dissolved water as well. If there was benzene or other products dissolved in the water, they would identify that with that and there are, we also have equipment for responding and recovering product that is, if it became saturated along a piece of sand or something and sunk lower, we have techniques for also recovering that and mitigating that as well.

**Q. [Commissioner Fedorchak] So tell me a little bit more about the dissolved, the particles that might dissolve in the water and how you might deal with that if it happens.**

A. In the case of a release of oil onto a surface, the oil itself can become entrapped with a particle like sand or dust and then that would cause that not to float right on the surface. We have an underwater like a basket system that would be full of absorbent poms, it's like a pom-pom, but it is made of absorbent material and those would be placed in these baskets and that would help filter out those particles so you would be able to capture that as well.

**Q. [Commissioner Fedorchak] Can you tell me how does Enbridge exceed Federal safety requirements? In what ways are you exceeding them?**

A. We are specifically for exercises, the INPREP standards set by the US Coast Guard and then also EPA and PHMSA through their National Integrated Contingency Plan require one spill response and one equipment deployment and one spill response tabletop per year and North Dakota last year, we did three equipment deployments and five table tops and we will continue that trend for this year as well. In 2015, we are planning a full scale exercise that is also a requirement that you have a worst-case discharge every three years.

**Q. [Commissioner Fedorchak] So you are required to do one and you did three? Is that, I am sorry, can you say those numbers again?**

A. So they require one equipment deployment and one spill response table top. Last year, we did three equipment deployments and five table tops and we are doing seven equipment deployments this year, we have already done two.

\* \* \*

**Q. [Commissioner Kalk] Tell me this, the training you did in Burlington, what did you find in your after action on that that you might want to tweak and what have you done based on that exercise?**

A. So last year we deployed boom in a summer response on the Des Lacs River by Burlington, it is actually at the Minot Retrieval Club. The major after action finding for that was related to for us to provide a primary decon corridor in between our hot zone and our warm zone and we have purchased, the purchase is completed, the delivery of the product is delayed due to the army having priority about getting our decon tent, but we will have a decon tent that we set up as the primary in and out point for all activities throughout our warm zone. So that was a change from going standard

kiddie pool decon type of thing to an actual decon tent large enough to decon a UTV or ATV if you needed that type of equipment out in a worksite.

**Q. [Commissioner Kalk] Perfect, so you guys are pretty high tech in what you are doing, that is good to hear. How do you coordinate with other response organizations, let's say for example the BNSF must have something set up for their rail incidents, the Air Base must have things set up, how do you integrate those capabilities if you need them?**

A. We would work with our local responders through the Emergency Manager. In Ward County, specifically, the Emergency Manager and they would set up their Emergency Operations Center EOC, they would also connect with the State EOC. Having been on that Committee in the Ward County emergency area before and continuing that role with Enbridge now we work on other exercises with those groups and can connect with them that way.

**Q. [Commissioner Kalk] So once the on scene commander is established they, depending on how big the incident is, they can pull in their existing networks.**

A. We can utilize the public's EOC process to enhance Enbridge's also response.

**Q. [Commissioner Kalk] How much do you coordinate with the counties and the townships on emergency response planning?**

A. Once again, just like the Ward County Emergency Resource Council, all of the counties that we work with along the route, I have reached out to the Emergency Managers and they have their local LEPC local planning meetings that are required and we participate in those county plannings that way.

\* \* \*

**Q. [Commissioner Christmann] The floatation devices that you say are stored, did you say at Bartlett?**

A. Yes, there is a container that will have approximately 7000 feet there.

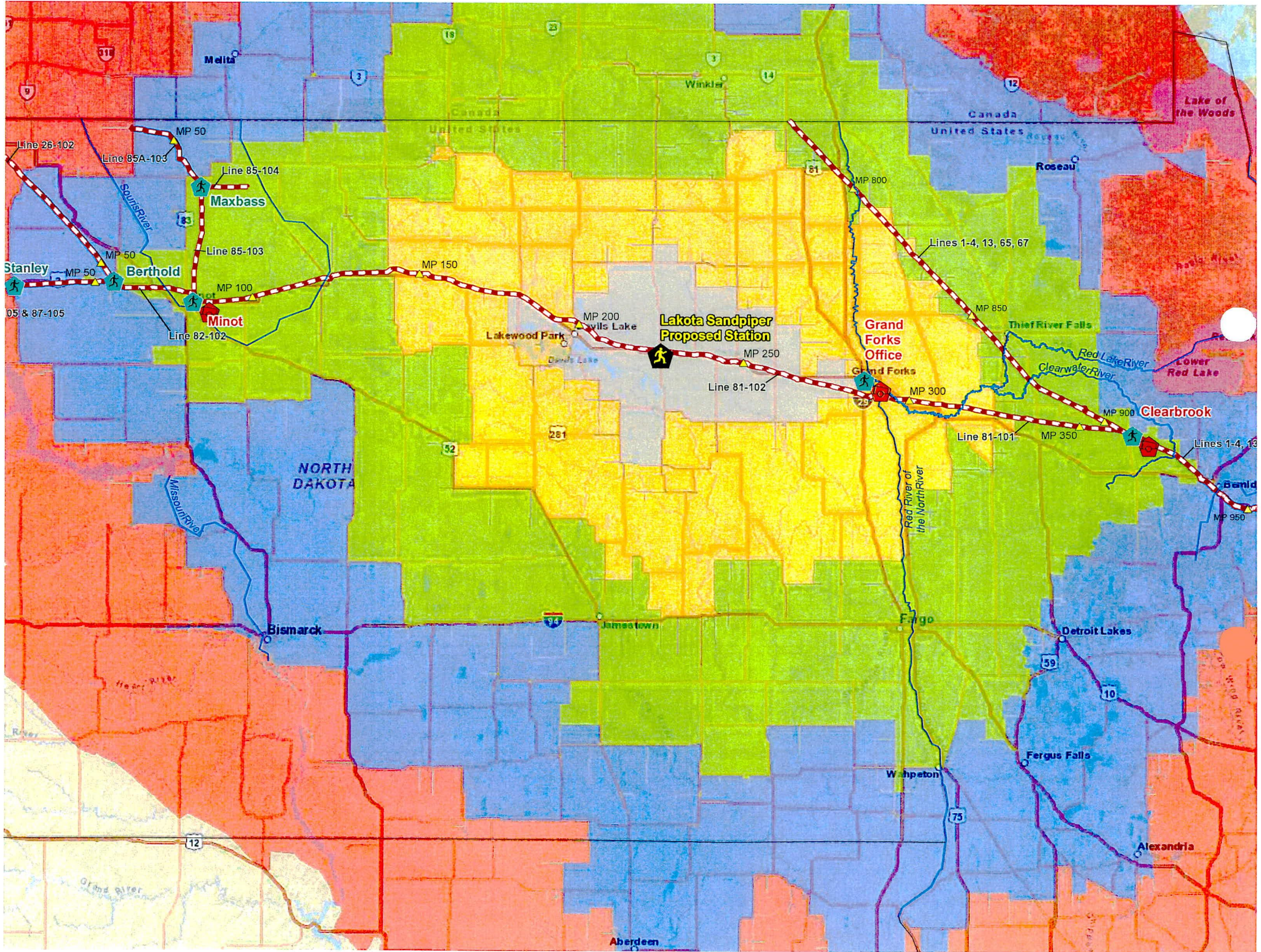
**Q. [Commissioner Christmann] I have been through there, but I am trying to recall exactly where that is. Is it close enough? Is that basically the supply for a release that might get into Devils Lake?**

A. It would be extra supplies for that. The same thing for the one in Williston. Each of the trailers would be our primary response supply. They have around 1000 feet in each of the trailers. And if you needed more boom you would have it right there located so we would have 4000 feet in addition to those storage containers available.

**Q. [Commissioner Christmann] And you feel that is close enough to Devil's Lake to be the supply source because you didn't mention Devils Lake as a place where there is a trailer, did you?**

A. That is correct. We don't have a manned station there. Based on currently, our materials are located at manned response stations where we would have people available to travel where ever they need to along the route. If we placed equipment in Devils Lake, if we moved that container right to Devil's Lake then it would still take them the same about of time to get their trailer there and start that response whether their trailer is located. If they needed it in Grand Forks or another area, they would have that

with them quicker. So it has to do with where we have manned stations where we supply, where we have supplies pre-stationed.



## Exhibit D

### Testimony Regarding Routing in Devils Lake Area Barry Simonson, Manager of Engineering and Construction for Sandpiper Mainline Execution, Major Projects

#### North Dakota Pipeline Company, LLC

#### Devils Lake Public Hearing – February 20, 2014 – Direct Testimony:

**Q. What is the reason for Enbridge proposing to route around Devils Lake and not follow the existing Line 81?**

A. Line 81 in this area is collocated with the BNSF railroad which not only passes through small towns, but through the Devils Lake basin itself. While both utilities were installed when Devils Lake was at a lower water level, the recent rise in lake level has resulted in Line 81 being located under open water a significant portion of the area. Construction along this path would have more impacts to the lake. Line 81 also passes through the Snyder Lake National Wildlife Refuge which the proposed route avoids. An effort was made to co-locate with other utilities in and around the City of Devils Lake; however, the rising lake level has made these routes no longer constructible.

The proposed route chosen is at the northern end of the Devils Lake Basin with efforts made to place the pipeline at elevations above the natural outlet elevation of the lake to mitigate possible flooding of valve sites and submergence of the Sandpiper pipeline. In going north, the proposed route avoids population centers, large lakes such as Lake Irvine and Lake Alice, and the Lake Alice National Wildlife Refuge.

#### Minot Public Hearing – February 27, 2014 – Direct Testimony:

**Q. What is the reason for Enbridge deviating its route north of US Highway 2 from Berthold east towards Grand Forks and not follow the existing Line 81?**

A. Exiting Berthold, Line 81 continues to follow US Highway 2 into the city limits of Minot, North Dakota. In order to avoid routing the pipeline into this population center, it was decided to route the pipeline north and east of Berthold following an existing utility corridor. In addition, Line 81 is predominantly collocated with the BNSF railroad which not only passes through cities such as Minot, but also small towns, and through the Devils Lake basin itself. While both utilities were installed when Devil's Lake was at a lower water level, the recent rise in lake level has resulted in Line 81 being located under open water a significant portion of the area. Construction along this path would have more impacts to the lake. Line 81 also passes through the Snyder Lake National Wildlife Refuge which the proposed route avoids. An effort was made to co-locate with other utilities in and around the City of Devils Lake; however, the rising lake level has made these routes no longer constructible.

The proposed route chosen is at the northern end of the Devils Lake Basin with efforts made to place the pipeline at elevations above the natural outlet elevation of the lake to mitigate possible flooding of valve sites and having the Sandpiper pipeline submerged. In going north, the proposed route avoids population centers, large lakes such as Lake Irvine and Lake Alice, and the Lake Alice National Wildlife Refuge and takes advantage of existing utility corridors, where practicable.

**North Dakota Pipeline Company LLC's  
Supplement to Late Filed Exhibit No. 5**

June 6, 2014

During the working session held by the North Dakota Public Service Commission (“Commission”) on May 23, 2014, regarding North Dakota Pipeline Company LLC’s (“NDPL”) Application for a Certificate of Need and Route Permit for the Sandpiper Pipeline Project (“Project”), the Commission requested that NDPL provide certain additional information related to the Project route in the Devils Lake area. The additional information requested is provided in the following sections.

- Groundwater Construction: NDPL personnel have encountered groundwater in many locations throughout ND/MN/WI in past projects (i.e., Alberta Clipper/Southern Lights - Case No. PU-07-108/LSr – Case No. PU-07-075). It is inevitable to find groundwater in areas, such as wetlands, saturated areas, etc. Encountering groundwater does not alter the centerline, but installation methods may vary. Groundwater may be pumped out of the ditch in order to install the pipe and achieve the required depth of cover: (i) if the need exists; and (ii) applicable dewatering permitting is obtained. Additional buoyancy control (i.e., bag weights, concrete coating) may be implemented if the water is continuous for a long section and/or if the soil structure (i.e., peat) cannot hold the pipe down without product. Please also see Section 1.2 of the Sandpiper Pipeline Project Design Summary – Devils Lake Area, filed on May 23, 2014, as a supplement to Late Filed Exhibit No. 5, which discusses buoyancy control measures for the Project.
- Lake Construction: If NDPL had to build a pipeline *through* a lake in which a significant depth and length is encountered and no access is available to move equipment through it, there would most likely be a directional drill, where the same methods for proper design, planning, and executing would take place. With an HDD, there would be increased pipe wall thickness. The only reason for that would be for external and internal stress loads, bending stresses, and pulling loads during pipe installation. Based on geotechnical data that would be gathered, the design would include provisions for buoyancy control; however, this would be mitigated by the mere depth at which the HDD would be installed underneath the bottom of the lake. In addition, shut-off valves would most likely be installed on either side of the lake in accordance with applicable industry regulations (49 Code of Federal Regulations (“CFR”) Part 195).
- Devils Lake Area Construction: The area in which NDPL is planning to install the Project really is not a lake based on the criteria stated above. The Project route intentionally avoids an actual lake crossing by staying further to the north. Where conventional methods are impracticable, an HDD, or a bore, is the predominant alternative method within this segment. These areas may include long, contiguous wetlands, sensitive rivers or streams, or a combination of the aforementioned with roads/highways in close proximity. In previous submissions, NDPL has explained that it will install buoyancy control measures as necessary and at certain intervals (see Sandpiper Pipeline Project Design Summary – Devils Lake Area, filed on May 23, 2014 as a supplement to Late Filed Exhibit No. 5). Please note that these buoyancy controls are not necessary based on the soil structures.

In terms of valves, their placement complies with applicable federal regulation and the valves (1487’ and 1465’ planned elevation west and east, respectively) are appropriately spaced in the

Sandpiper Pipeline Project – Siting Application  
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event Devils Lake rises to 1458'. A summary of NDPL's risk assessment for valve placement near Devils Lake, which demonstrates compliance with the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration's ("PHMSA") regulations set forth in 49 CFR 195, is attached as **Exhibit A**.

- **Devils Lake Area Emergency Response:** NDPL's emergency response measures for the Project are discussed in the Pre-Filed Testimony of Art Haskins, filed on February 14, 2014, including: (1) emergency response training for employees, contractors and first responders; (2) emergency response equipment; and (3) NDPL's Emergency Response Plan (referred to as an Integrated Contingency Plan), developed with the PHMSA. For your convenience, a copy of Mr. Haskins' Pre-Filed Testimony is attached.

During the public hearings, Mr. Haskins also testified regarding emergency response measures, including emergency response protocols and emergency response equipment for the Devils Lake area. Relevant portions of Mr. Haskins' oral testimony are provided in the attached **Exhibit B**. In addition, underwater release response and mainline isolation valves placement in relation to the Devils Lake area are discussed in Section 4.0 of the Sandpiper Pipeline Project Design Summary – Devils' Lake Area, filed on May 23, 2014, as a supplement to Late Filed Exhibit No. 5.

With respect to Lakota Station, as well as other manned stations along the Project, the following emergency response equipment will be available:

- Fencing and signs to secure the hazard zone;
- Containment boom;
- Boat to deploy the boom;
- Absorbent pads and booms;
- Portable generator and lights;
- Water pump and portable storage containers;
- Chainsaw;
- Safety equipment.

The equipment requires monthly checks and regular maintenance, and must be deployed by qualified hazardous material operators. For this reason, trailers with initial response equipment are stored at manned locations and, in the event of a release, the trailer is brought to the response site by qualified NDPL employees.

If equipment were stored offsite, qualified NDPL employees would need to retrieve the equipment before traveling to the response site; thus, stationing emergency response equipment trailers at manned locations enables the most efficient response. In addition, equipment security, adequate storage facilities, and on-going maintenance would be additional concerns if equipment were stored outside of NDPL manned facilities.

The addition of the manned Lakota Station provides NDPL with increased emergency response capabilities for the Project, as well as Enbridge's existing Line 81 Pipeline. A map showing the estimated response time from the Lakota Station to various parts of the Project is attached as **Exhibit C**. NDPL will meet or exceed the federal response requirements set forth in 49 CFR 194.115.

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Case No. PU-13-848

- Devils Lake Area Route: The Commission inquired regarding NDPL's rationale for choosing a route to the north of Devils Lake that adds an additional 20+ miles. Part of the rationale subscribes to Rep. Nelson's request: follow the railroad line to the north. In addition, the route was selected to avoid federal Waterfowl Production Areas, state Wildlife Management Areas, portions of the City of Devils Lake and nearby rural communities. There is no other alternative to the north in terms of access points to the right-of-way that would assuage concerns involving: (i) saturating/ground water; (ii) buoyancy control; and (iii) valve locations. In his testimony at the public hearing in Devils Lake, Barry Simonson discussed NDPL's routing rationale for the Devils Lake area, and relevant portions of Mr. Simonson's testimony are provided in the attached Exhibit D.