

Spill Prevention, Control, and Countermeasure (SPCC) Plan

For Construction of the

Sunflower Wind Project
Stark and Morton Counties, North Dakota

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CONTENTS

List of Tables	ii
List of Figures	ii
List of Appendices	ii
1.0 INTRODUCTION.....	1
1.1 Purpose of the SPCC Plan.....	1
1.2 Professional Engineer Certification.....	2
1.3 Management Certification of the SPCC Plan.....	3
1.4 Location of the SPCC Plan	3
1.5 Plan Review.....	4
1.6 SPCC Provision Cross-Reference	4
2.0 GENERAL FACILITY INFORMATION	5
2.1 Description of the Facility.....	5
2.2 Administration of Responsibility.....	6
2.3 Oil Storage.....	7
2.4 Discharge Potential.....	8
3.0 DISCHARGE PREVENTION.....	9
3.1 Facility Layout Diagram and Remote Sites	9
3.2 Spill Reporting Procedures	9
3.3 Potential Discharge Volumes and Direction of Flow	9
3.4 Containment Drainage	10
3.5 Containment and Diversionary Structures	11
3.6 Practicability of Secondary Containment	11
3.7 Inspections, Tests, and Records.....	11
3.8 Personnel, Training, and Discharge Prevention Procedures	12
3.9 Security	13
3.10 Loading/Unloading.....	13
3.11 Brittle Fracture Evaluation.....	15
3.12 Conformance with State and Local Applicable Requirements	15
4.0 DISCHARGE RESPONSE.....	15
4.1 Response to a Minor Discharge.....	16
4.2 Response to a Major Discharge.....	16
4.3 Waste Disposal	17
4.4 Discharge Notification	18

TABLES

Table 1-1: SPCC Cross-Reference.....4
Table 2-1: Oil Storage Inventory7
Table 3-1: Potential Discharge Volumes and Direction of Flow..... 10
Table 3-2: Fuel Transfer Procedures..... 14

FIGURES

- Figure 1: State Location Map
- Figure 2: Project Location Map
- Figure 3: Laydown Yard and Batch Plant Layout Diagram
- Figure 4: Remote Sites Layout Diagram
- Figure 5: Substation Diagram

APPENDICES

- Appendix A: Substantial Harm Determination
- Appendix B: Plan Review Log
- Appendix C: Emergency Contacts
- Appendix D: Discharge Notification Form
- Appendix E: Record of Secondary Containment Drainage
- Appendix F: Monthly Facility Inspection Checklist
- Appendix G: Discharge Prevention Briefings and Training Log
- Appendix H: Calculation of Secondary Containment Capacity

1.0 INTRODUCTION

1.1 Purpose of the SPCC Plan

This Spill Prevention, Control, and Countermeasure (SPCC) Plan has been prepared for Mortenson Construction (Mortenson) for the construction of the Sunflower Wind Project (Project) located in Stark and Morton Counties, North Dakota (see **Figure 1**). The total Project encompasses an area of approximately 12,022 acres; however, construction activity and disturbed area will consist of approximately 430 acres. The Project consists of the construction of up to 52 wind turbines with approximately 19 miles of associated access roads, approximately 26 miles of temporary crane walking paths, collection lines, project substation, concrete batch plant and a construction laydown yard.

The purpose of the SPCC Plan is to describe the procedures, methods, and equipment that are used to prevent the discharge of oil into navigable waters of the United States or their adjoining shorelines, and to minimize and abate hazards to human health and the environment should such an event occur.

SPCC plans are prepared and implemented according to U.S. EPA regulations contained in Title 40, Code of Federal Regulations, Part 112 (40 CFR 112). A non-transportation related facility is subject to SPCC regulations if: the total aboveground storage capacity exceeds 1,320 gallons; or the underground oil storage capacity exceeds 42,000 gallons; and, if due to its location, the facility could reasonably expect to discharge oil into or upon the navigable waters of the United States. At this Facility, as defined in Section 2.1, the total aboveground oil storage capacity is over 1,320 gallons; therefore, SPCC regulations apply.

For the purposes of the SPCC Plan, the term “Facility” is defined as four areas:

- The 7-acre temporary construction laydown yard (Laydown Yard) (see **Figure 3**).
- The 5.5-acre Substation (Substation) (see **Figure 5**).
- The 2-acre temporary concrete batch plant (Batch Plant) (see **Figure 3**).
- The individual 52 wind turbine construction sites and associated access roads, crane walking paths and collection lines (Remote Sites), as further described in Section 2.1 (see **Figure 4**).

The threat of substantial harm caused by the Facility has been evaluated and certified by Mortenson management. It has been determined that this Facility does not pose a risk for substantial harm and that preparation of a Facility Specific Response Plan, pursuant to 40 CFR 112.20, is not required. The Substantial Harm Determination certification is included as **Appendix A**.

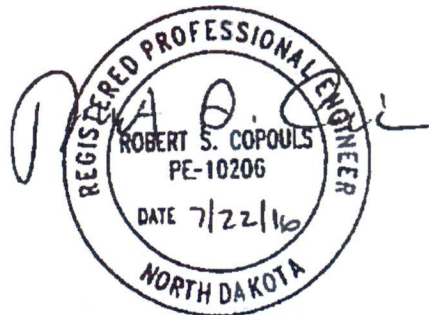
1.2 Professional Engineer Certification

I certify that I am the preparer of this SPCC Plan or this SPCC plan was prepared under my direct supervision.

Furthermore, I certify the following with respect to this Federal SPCC Plan:

- I am familiar with the applicable requirements of 40 CFR 112;
- I have visited and examined the Facility, or have supervised examination of the Facility by appropriately qualified personal;
- This SPCC Plan has been prepared in accordance with good engineering practice;
- The procedures for required inspections and testing have been established; and
- The SPCC Plan is adequate for the Facility, as herein described.

This certification in no way relieves the owner or operator of the Facility of his/her duty to prepare and fully implement the SPCC Plan in accordance with the requirements of 40 CFR 112.



Signature

Robert S Copouls, Senior Project Manager
Name and Title

PE-10206
North Dakota PE Registration Number

7/22/16
Date

952-906-7470
Telephone Number

1.3 Management Certification of the SPCC Plan

The Owner of the Sunflower Wind Project is Novatus Energy. Novatus Energy has engaged Mortenson Construction as the General Contractor for the Project. This SPCC Plan is being managed by Mortenson and applies to construction of the Project. Novatus Energy will prepare a separate SPCC Plan for the operation of the Project that will go into effect once construction is complete.

Mortenson is committed to preventing discharges of oil into navigable waters of the United States through implementation and regular review and amendment to the SPCC Plan during construction of the Sunflower Wind Project. Mortenson has committed the necessary resources to implement the measures described in this SPCC Plan.

I am the designated SPCC Emergency Coordinator and am responsible for implementation of this SPCC Plan. To the best of my knowledge, this SPCC Plan is accurate.


Signature

Ben Kelly
Name

Project Superintendent, Mortenson
Title

7-22-16
Date

1.4 Location of the SPCC Plan

A complete copy of the SPCC Plan will be maintained at the Facility when the Facility is normally attended at least four hours per day or at the nearest field office when the Facility is attended less than four hours per day.

Because the Laydown Yard is typically attended from 6:30 am to 5:30 pm, the copy of the SPCC Plan will be located in the main office area in the Mortenson Construction trailer in the Laydown Yard. Notice of the location of the SPCC Plan will be posted on the Project information board in the Laydown Yard.

1.5 Plan Review

Review and amendments to the SPCC Plan must be made as stated in 40 CFR 112.5 under any of the following circumstances:

- Complete a review and evaluation of the SPCC Plan at least every five years;
- There is a change in Facility design, construction, operation or maintenance that materially affects the Facility’s potential for discharge of oil into navigable waters of the United States; and
- In the event of a spill into waters of the United States or adjoining shorelines.

As a result of the review, the SPCC Plan will be amended within six months to include more effective prevention and control measures for the Facility, if applicable. Amendments will be implemented as soon as possible, but no later than six months following the SPCC Plan amendment.

The review and evaluation must be documented in a Plan Review Log, the form of which is contained in **Appendix B**. The Plan Review Log must state whether the SPCC Plan will be amended. Any technical revision to the SPCC Plan must be certified by a Professional Engineer.

1.6 SPCC Provision Cross-Reference

This SPCC Plan does not follow the exact order presented in 40 CFR part 112. Table 1-1 below presents a cross-reference of Plan sections relative to the applicable parts of 40 CFR part 112.

Provision	Plan Section	Page
112.3(d)	1.2 Professional Engineer Certification	2
112.3(e)	1.4 Location of SPCC Plan	3
112.5	1.5 Plan Review	4
112.7	1.3 Management Certification of the Plan	3
112.7	1.6 SPCC Provision Cross-Reference	4
112.7(a)(3)	Part 2: General Facility Information	5
	Figure 2: Site Location Map	Attached
	Figures 3, 4 and 5: Facility Layout Diagrams	Attached
112.7(a)(4)	4.4 Discharge Notification	18
112.7(a)(5)	Part 4: Discharge Response	15
112.7(b)	3.3 Potential Discharge Volumes and Direction of Flow	9
112.7(c)	3.5 Containment and Diversionary Structures	11
112.7(d)	3.6 Practicability of Secondary Containment	11
112.7(e)	3.7 Inspections, Tests, and Records	11
112.7(f)	3.8 Personnel, Training and Discharge Prevention Procedures	12

112.7(g)	3.9 Security	13
112.7(h)	3.10 Tank Loading/Unloading	13
112.7(i)	3.11 Brittle Fracture Evaluation	15
112.7(j)	3.12 Conformance with Applicable State and Local Requirements	15
112.8(b)	3.4 Containment Drainage	10
112.8(c)(1)	2.3 Oil Storage	7
112.8(c)(2)	3.5 Containment and Diversionary Structures	11
112.8(c)(3)	3.4 Containment Drainage	10
112.8(c)(6)	3.7 Inspections, Tests, and Records	11
112.8(c)(8)	3.5 Containment and Diversionary Structures	11
112.8(c)(10)	3.7 Inspections, Tests, and Records	11
112.8(d)	3.7 Inspections, Tests, and Records	11
112.20(e)	Certification of Substantial Harm Determination	Appendix A

2.0 GENERAL FACILITY INFORMATION

2.1 Description of the Facility

Owner: Novatus Energy

Operator/Construction Manager: Mortenson Construction

The address and phone number for the Project Facility Laydown Yard is:

Sunflower Wind Project
 3979 County Road 90
 Hebron, ND 58638
 763-710-6832

The Project Location Map shown on a U.S. Geological Survey quadrangle map is attached as **Figure 2**. The Facility defined by this SPCC Plan consists of four distinct components:

- The 7-acre temporary construction laydown yard (Laydown Yard) (see **Figure 3**).
- The 5.5-acre Substation (Substation) (see **Figure 5**).
- The 2-acre temporary concrete batch plant (Batch Plant) (see **Figure 3**).
- The individual 52 wind turbine construction sites and associated access roads, crane walking paths and collection lines (Remote Sites), as further described in Section 2.1 (see **Figure 4**).

The Facility is located in Stark and Morton Counties, North Dakota. Construction activity will disturb an area consisting of approximately 430 acres, consisting of both temporary and permanent improvements.

Facility Layout Diagrams are attached as **Figures 3, 4 and 5** showing the locations and layout of the temporary construction Laydown Yard and Batch Plant, Remote Sites and Substation respectively. Oil storage primarily occurs at these four areas where oil products are stored in several aboveground storage tanks (AST) for use during construction. The tanks are used by Mortenson and its subcontractors primarily to store fuel and other vehicle fluids. A fuel truck may be used to transport fuel from the Laydown Yard to the construction equipment as needed.

Hours of operation for the Facility are typically between 6:30 am and 5:30 pm. There are construction trailers/offices at the Laydown Yard that are used by Novatus Energy, Mortenson and other subcontractors. Access to the Laydown Yard is off of County Road 90, access to the Batch Plant is off 40th Street. The Laydown Yard and Batch Plant locations are surrounded by farmland and agricultural land.

The Substation is just north of the intersection of 40th Street and 77th Avenue and contains oil-filled operational equipment in the form of a main power transformer.

At the Remote Sites, construction is conducted using distinct crews for the construction of each component of the turbines. The crews move from turbine site to turbine site as the construction progresses, and may be at 2-3 sites per day. The number of active turbine construction sites varies, but typically there may be construction occurring at up to approximately 15 different sites.

2.2 Administration of Responsibility

To fully implement this SPCC Plan, the assistance and cooperation of multiple parties is required. The following descriptions outline key roles and responsibilities involved in the implementation of this SPCC Plan.

Novatus Energy

Novatus Energy is the owner of the Sunflower Wind Project. Novatus Energy has engaged Mortenson as the General Contractor for the Project. The Owner's representative that is contracted directly with the owner is the wind turbine manufacturer. Owner's responsibilities include:

- Ensure those who work with oil on the Project are aware of and follow the requirements of this SPCC Plan;
- Follow the established policies and procedures of this SPCC Plan; and
- Enforce the requirements of the SPCC Plan and have overall responsibility of the Project and SPCC Plan requirements.

Mortenson Construction

Mortenson Construction is the General Contractor for the construction of the Sunflower Wind Project. Mortenson is responsible for the construction of the wind turbines, associated access

roads and foundations. Mortenson will engage subcontractors for the underground electrical, substation, O&M Building, Met Towers, transmission line and rebar install, as well as an oil company to supply fuel for the Project. Specific responsibilities include:

- Serve as SPCC Emergency Coordinator;
- Perform inspections to ensure compliance with the provisions of this SPCC Plan;
- Coordinate training and maintain training records;
- Maintain security of oil storage areas;
- Notify Novatus Energy of any releases;
- Investigate oil releases;
- Provide the proper notification for environmental releases;
- Ensure corrective action is taken in the event of a release;
- Coordinate disposal of waste materials;
- Ensure that emergency response equipment is available and working properly; and
- Update the SPCC Plan as required.

Subcontractors

Subcontractors will be selected and include the underground electrical, substation, O&M Building, Met Towers and transmission line. Subcontractor responsibilities include:

- Follow the established policies and procedures of this SPCC Plan;
- Adhere to fuel transfer procedures established in the SPCC Plan;
- Ensure personnel have appropriate training; and
- Inform Mortenson of any releases and ensure that corrective action is taken.

2.3 Oil Storage

Bulk oil storage at the Facility consists of 4 fixed ASTs. An inventory of the products stored at the Facility is shown in **Table 2.1**. All containers with capacity of 55 gallons or more are included, unless otherwise exempt from the rule.

Table 2-1: Oil Storage Inventory				
ID	Capacity (gallons)	Content	Description	Party Responsible for Oil Storage
Laydown Yard				
1	1,000	Diesel	Aboveground horizontal tank (steel containment tub)	Mortenson
2	1,000	Diesel	Aboveground horizontal tank (steel containment tub)	Mortenson

Table 2-1: Oil Storage Inventory				
ID	Capacity (gallons)	Content	Description	Party Responsible for Oil Storage
3	1,000	Gasoline	Aboveground horizontal tank (steel containment tub)	Mortenson
4	560	Gasoline	Aboveground horizontal tank (steel containment tub)	Mortenson
6	220 (total)	Form Release	(4)-55 gallon drums (steel containment tub)	Mortenson
7	55	Used Oil	(1)-55 gallon drum (steel containment tub)	Mortenson
Remote Sites				
8	95	Gearbox Oil	Self contained inside turbine	Mortenson
9	83	Hydraulic Oil	Self contained inside turbine	Mortenson
Substation				
10	13,000	Mineral Oil	Main Power Transformer (within concrete pit)	Mortenson
11	600 (each)	Mineral Oil	(4)-Grounding Reference Transformers (within concrete pit)	Mortenson
Batch Plant				
12	2,000 (total)	Water Reducer	(2)-1,000 gallon totes (within control trailer)	Mortenson
13	1,000	Air Entrainer	(1)-1,000 gallon tote (within control trailer)	Mortenson

Oil tanks used at this Facility are constructed of steel or plastic. The design and construction of all bulk storage containers is compatible with the characteristics of the oil product they contain, and with applicable temperature and pressure conditions.

2.4 Discharge Potential

The Laydown Yard will be utilized for oil and fuel storage. It is located on relatively flat terrain and consists of a compacted gravel surface (**Figure 3**). Drainage generally flows southeast within the Laydown Yard and sheet flows toward a tributary of the Lower Heart River, located approximately 1.3 miles south of the Laydown Yard.

The Batch Plant will be utilized for concrete ad-mixture storage. It is located on relatively flat terrain and consists of a compacted gravel surface (**Figure 3**). Drainage generally flows southeast within the Batch Plant and sheet flows toward a tributary of the Lower Heart River, located approximately 1.3 miles south of the Laydown Yard.

The Substation will contain oil-filled operational equipment. It is located on relatively flat terrain and consists of a compacted gravel surface (**Figure 5**). Drainage generally flows south within the Substation, and sheet flows toward a tributary of the Lower Heart River, located approximately 1 mile south of the Substation.

Discharge potential for the Remote Sites is primarily associated with construction equipment refueling and breakdowns (**Figure 4**). The direction of discharge and release potential at the Remote Sites varies depending upon the individual locations of the turbines, access roads and collection lines. The topography is characterized by relatively level to gently rolling topography and swales with rural drainages ditches and tributaries.

Because this is a new construction project, there is no previous history of any discharge at the Facility.

3.0 DISCHARGE PREVENTION

The following measures must be implemented to prevent oil discharges during the handling, use or transfer of oil products at the Facility. Oil-handling employees must receive training in the proper implementation of the measures.

3.1 Facility Layout Diagram and Remote Sites

The Project Location Map on a USGS map is attached as **Figure 2**. Facility Layout Diagrams are attached as **Figures 3, 4 and 5**, which shows the location of storage tanks within the Laydown Yard and Batch Plant, the layout of the Remote Sites and the Substation respectively. The diagram also indicates the direction of surface water runoff. As required under 40 CFR 112.7(a)(3), the Facility diagrams indicates the location and contents of ASTs, underground storage tanks (USTs), and transfer stations and connecting piping.

3.2 Spill Reporting Procedures

A list of Emergency Contacts is listed in **Appendix C**. A Discharge Notification Form, included as **Appendix D**, will be completed upon immediate detection of a discharge and prior to reporting a spill to the proper authorities. More detailed spill reporting procedures are contained in Section 4.4.

3.3 Potential Discharge Volumes and Direction of Flow

Table 3-1 on the following page contains expected volume, discharge rate, general direction of flow in the event of equipment failure at the Facility and means of secondary containment.

Table 3-1: Potential Discharge Volumes and Direction of Flow				
Potential Event	Maximum volume released (gallons)	Maximum discharge rate	Direction of flow	Secondary Containment
Laydown Yard				
Tank overfill	1 to 300	60 gal/min	Southeast	Steel tubs
Hose leak during tank truck unloading	1 to 300	60 gal/min	Southeast	Steel tubs
Dispenser hose rupture	1 to 150	30 gal/min	Southeast	Steel tubs
Tank rupture	1 to 1,000	Gradual to instantaneous	Southeast	Steel tubs
Substation				
Failure of Main Power Transformer	1 to 13,000	60 gal/min	South	Concrete Containment Pit
Failure of Grounding Transformer	1 to 600	60 gal/min	South	Concrete Containment Pit
Remote Sites				
Rupture of equipment lines	1 to 200	Gradual to instantaneous	varies	Sorbent materials
Leaking gearbox	1 to 93	5 gal/min	Varies	Turbine enclosure
Batch Plant				
Tank overfill	1 to 300	60 gal/min	Southeast	Control trailer
Hose leak during tank truck unloading	1 to 300	60 gal/min	Southeast	Control trailer
Dispenser hose rupture	1 to 150	30 gal/min	Southeast	Control trailer
Tank rupture	1 to 1,000	Gradual to instantaneous	Southeast	Control trailer

Releases from oil-filled construction equipment could range from gradual to instantaneous depending upon the type of leak. Direction of flow will depend on the location of the operational equipment with respect to the Remote Sites.

3.4 Containment Drainage

The plastic tubs/earthen berms protecting the tanks at the Laydown Yard and Batch Plant will need to be drained when rainwater collects inside. The containment devices are drained by Mortenson by manually activated pumps. The retained rainwater is inspected by Mortenson prior to draining to ensure that only oil-free water is discharged. A sorbent filter boom will be used to absorb any oils in the containment area. Drainage events are recorded in the log included in Appendix E.

3.5 Containment and Diversionary Structures

Methods of secondary containment at this Facility include a combination of structures and land-based spill response to prevent oil from reaching navigable waters and adjoining shorelines.

Double walled tanks. The ASTs at the laydown yard will be double walled tanks to meet EPA SPCC secondary containment requirements.

Steel Tubs/Concrete Pits. In addition, the ASTs at the laydown yard will be placed inside steel tubs. The steel tubs will be of sufficient capacity to contain a failure of the AST plus additional capacity for precipitation. The main power transformer and grounding transformers will be placed within concrete containment pits with sufficient capacity to contain a failure of the transformer plus additional capacity for precipitation. All containment structures will be sized to contain a minimum of 110% of the single largest container within the structure.

Batch Plant Control Trailer. The concrete admixtures at the Batch Plant are located within a covered/sealed control trailer which has sufficient capacity to contain any potential admixtures released during concrete production.

In transfer areas and other parts of the Facility, such as the Remote Sites where a discharge could occur, the following measures shall be implemented:

Drip pans. During fueling operations outside of the secondary containment structures, drip pans will be utilized to contain small leaks from piping/hose connections. Drip pans may also be utilized during emergency field repair and maintenance of oil-filled construction operational equipment.

Sorbent material. Spill cleanup kits that include absorbent material, booms, and other portable barriers shall be located near the oil storage area in the Laydown Yard. Portable spill kits shall be located in all trucks and equipment at the Remote Sites. The spill kits are located within close proximity of the oil product storage and handling areas for rapid deployment in the event of a discharge outside the containment area or at the turbine sites. Back-up spill kits will be readily available from the laydown yard.

3.6 Practicability of Secondary Containment

It has been determined that sized secondary containment is practicable at this facility at the Laydown Yard, Remote Sites, Substation and Batch Plant.

3.7 Inspections, Tests, and Records

Visual inspections of tanks and containment areas are conducted monthly. Inspection of the outside of the container for signs of deterioration, discharges, or accumulation of oil inside

containment areas is conducted. The monthly inspection checklist is provided in **Appendix F**. The monthly inspections cover the following key elements:

- Observing the exterior of aboveground storage tanks, pipes, and other equipment for signs of deterioration, leaks, corrosion, and thinning;
- Observing the exterior of portable containers for signs of deterioration or leaks;
- Observing the tank fill and discharge pipes and hoses for signs of poor connection that could cause a discharge and tank vent for obstructions and proper operation;
- Verifying the proper functioning of overfill prevention systems; and
- Checking the inventory of discharge response equipment and restocking as needed.
- Observing the exterior of transformers and other equipment for signs of deterioration, leaks, corrosion, and thinning;

Each aboveground tank will be tested for integrity on a regular schedule and whenever material repairs are made. The regulations require visual inspections combined with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of non-destructive shell testing. For small non-regulated aboveground tanks, such as those in use at the Facility, the testing can be substituted by a more detailed visual inspection in accordance with the Steel Tank Institute (STI) *Standard for the Inspection of Aboveground Storage Tanks*, SP-001, latest version. This inspection will be performed annually.

Fire extinguishers will be visually inspected monthly and recharged annually. Level gauge accuracy will be verified by a comparison to a stick test at least annually.

All problems regarding tanks, piping, containment, or response equipment will be immediately reported to the SPCC Emergency Coordinator listed in Section 1.3. Visible oil leaks from tank walls, piping, or other components must be repaired as soon as possible to prevent a larger spill or discharge to navigable waters or adjoining shorelines. Pooled oil shall be removed immediately upon discovery.

3.8 Personnel, Training, and Discharge Prevention Procedures

The SPCC Emergency Coordinator is responsible for oil discharge prevention, control, and response preparedness activities at this Facility.

Oil-handling personnel will be trained in the operation and maintenance of oil pollution prevention equipment, discharge procedure protocols, applicable pollution control laws, rules and regulations, general facility operations, and the content of this SPCC Plan. Any new Facility personnel with oil-handling responsibilities shall be provided with this same training prior to being involved in any oil operation associated with the Project.

Annual discharge prevention briefings shall be held by the SPCC Emergency Coordinator for all Facility personnel involved in oil operations. The briefings are aimed at ensuring adequate

understanding of the SPCC Plan. The briefing will highlight and describe known discharge events or failures, malfunctioning components and any recently developed precautionary measures.

Records of the briefing and discharge prevention training shall be kept on the form contained in **Appendix G** and maintained with this SPCC Plan for a period of three years from the briefing/training date.

3.9 Security

Fencing is not provided at the Facility. Instead, environmental equivalent protection is being provided by the temporary nature of the construction, the remote locations, full-time Facility personnel at the Laydown Yard during the day and security guard service after staffing hours and on weekends and holidays. Storage tanks will be locked at night as an added preventative measure.

Drain valves shall be locked in the closed position to prevent unauthorized opening at all times. Fill caps on the tanks are locked at all times when not in operation. The fuel dispenser is chained and locked at night so that it cannot be removed when the Facility is not attended. With the dispenser locked in place, the fuel dispensing pump shall be turned off.

3.10 Loading/Unloading

There is no dedicated loading/unloading rack at the Facility during the construction phase of the Project. Tank truck loading/unloading procedures conform to regulations established by the U.S. Department of Transportation. Mortenson will ensure that vendors understand the site layout, that they know the protocols for unloading oil products, and that they have the necessary equipment to respond to a discharge from the vehicle or fuel delivery hose. This applies to loading/unloading at both the Laydown Yard and Remote Sites.

Vehicle filling and unloading operations at the Laydown Yard and Remote Sites shall be performed by Facility personnel trained in proper discharge prevention procedures. The truck driver or Facility personnel shall stay with and monitor the vehicle at all times while fuel is being transferred. Transfer operations shall be performed according to the procedures listed in **Table 3-2** on the following page.

Table 3-2: Fuel Transfer Procedures	
Stage	Tasks
Prior to loading/unloading	Visually check hoses for leaks and wet spots.
	Verify the sufficient volume is available in the storage tank or truck
	Lock in the closed position all drainage valves of the secondary containment structure
	Secure the tank vehicle/set parking brakes
	Verify proper alignment of valves and proper functioning of the pumping system.
	If filling a tank truck, inspect the lowest drain and all outlets.
	Establish adequate bonding/grounding prior to connecting to the bulk fuel transfer point.
	Turn off cell phone.
	No smoking.
During loading/unloading	Driver must stay with the vehicle at all times during loading/unloading.
	Periodically inspect all systems, hoses and connections.
	When loading, keep internal and external valves on the receiving tank open along with the pressure relief valves.
	When making a connection, shut off the vehicle engine. When transferring flammable liquid, shut off the engine unless it is used to operate a pump.
	Maintain communication with the pumping and receiving stations.
	Monitor the liquid level in the receiving tank to prevent overflow.
	Watch for any leaks or spills. Any small leaks or spills should be immediately stopped and then absorbed and disposed of properly.
After loading/unloading	Make sure the transfer operation is complete.
	Close all tank and loading valves before disconnecting.
	Secure all hatches.
	Disconnect all grounding/bonding wires from the bulk fuel transfer point.
	Make sure the hoses are drained to remove remaining oil before moving them away from the connection. Use a drip pan.
	Cap the end of the hose and other connecting devices before moving them to prevent uncontrolled leakage.
	Inspect the lowest drain and other outlets on tank truck prior to departure. If necessary, tighten, adjust, or replace caps, valves, or other equipment to prevent oil leaking while in transit.
	Inspect the loading/unloading point and tank to verify that no leaks have occurred or that any leaked or spilled material has been cleaned up and disposed of properly.

3.11 Brittle Fracture Evaluation

There are no field constructed tanks at the Facility.

3.12 Conformance with State and Local Applicable Requirements

Each responsible Owner or Operator at the Facility is required to submit all necessary forms and permit all required tanks with applicable Federal, State and Local Agencies, including the North Dakota State Fire Marshal.

All leaks and spills must be dealt with immediately. If you need immediate assistance, the Duty Officer will contact the North Dakota Department of Health. In the event of a release that is greater than 25 gallons or one that cannot be immediately cleaned up, the Owner or operator must immediately provide notice (by telephone, radio, or in person) to the emergency coordinator for the Local Emergency Planning Committee (LEPC) and to the State Emergency Response Commission (SERC). Contact the ND Department of Emergency Services Duty Officer through State Radio at 1-800-472-2121 with the following information, if possible:

- Name and type of substance
- Actions taken to contain the spill/leak
- Estimated quantity released
- Type of area affected (ground, water, wetland, river, etc)
- Noticeable health effects as a result of the spill/leak
- Your name and contact information

4.0 DISCHARGE RESPONSE

This section describes the response and cleanup procedures in the event of an oil discharge. The uncontrolled discharge of oil to groundwater, surface water, or soil is prohibited by state and/or federal laws. Immediate action must be taken to control, contain, and recover discharged product.

In general, the following steps shall be taken:

- Eliminate potential spark sources;
- If possible and safe to do so, identify and shut down the source of discharge to stop the flow;
- Contain the discharge with containers, sorbents, berms, trenches, sandbags, or other material;
- Contact the SPCC Emergency Coordinator or his/her alternate;
- Contact regulatory authorities and the response organization and report the release; and
- Collect and dispose of recovered products according to regulation.

For purposes of establishing appropriate response procedures, this SPCC Plan classifies discharges as either “minor” or “major”, depending on the volume and characteristics of the material released.

A list of Emergency Contacts is provided in **Appendix C**. This list identifies personnel to be contacted in case of emergency and shall be posted on the information board in the Laydown Yard.

4.1 Response to a Minor Discharge

A “minor” discharge is defined as one that poses no significant harm (or threat) to human health and safety or to the environment. Minor discharges are generally those where:

- The quantity of product discharged is small (may involve less than 25 gallons of oil);
- Discharged material is easily stopped and controlled at the time of discharge;
- Discharge is localized near the source;
- Discharged material is not likely to reach water, groundwater or field drains;
- There is little risk to human health and safety; and
- There is little risk of fire or explosion.

Minor discharges can usually be cleaned by Facility personnel. The following procedures apply:

- Immediately notify the SPCC Emergency Coordinator;
- Under direction of the SPCC Emergency Coordinator, contain the discharge with discharge response materials and equipment. Place discharge debris in properly labeled waste containers; and
- The SPCC Emergency Coordinator will complete the discharge notification form in **Appendix D** and attach a copy to this SPCC Plan.

4.2 Response to a Major Discharge

A “major” discharge is defined as one that cannot be safely controlled or cleaned up by Facility personnel, such as when:

- The discharge is large enough to spread beyond the immediate discharge area;
- The discharged material enters water; groundwater or sewer drains
- The discharge requires special equipment or training to clean up;
- The discharge material poses a hazard to human health or safety; or
- There is a danger of fire or explosion.

In the event of a major discharge, the following guidelines apply:

- Safety of personnel is the primary concern. No countermeasures that risk the health or safety of personnel should be undertaken;
- If the SPCC Emergency Coordinator is not present at the Facility, the senior on-site person shall notify the SPCC Emergency Coordinator of the discharge and has the authority to initiate notification and response;
- No smoking, open flames, cell phones, or other spark inducing equipment is permitted in the area of a flammable material spill;
- Facility personnel should stop the source of the leak or spill if possible by closing a valve, turning off a pump, sealing a hole, etc. If Facility personnel feel comfortable containing the spill, use absorbent pads, booms, sand and/or speedi-dri materials to stop the spread of the spill. Contaminated soil should be placed on an impermeable liner for containment;
- Emergency medical treatment and first aid shall be administered by personnel certified in first aid/CPR. The SPCC Emergency Coordinator (or senior on-site person) must call for medical assistance if workers are injured;
- Establish fire prevention measures in the vicinity of the spill. Divert traffic (vehicular and pedestrian) from the area. The SPCC Emergency Coordinator (or senior on-site person) must call the local Fire Department or Police Department;
- If Facility personnel are unsure of the hazards involved or the amount of the spill is too large or a release to navigable waters or adjoining shorelines is threatened, the SPCC Emergency Coordinator (or senior on-site person) shall call for outside assistance from a spill response/cleanup contractor;
- The SPCC Emergency Coordinator (or senior on-site person) will immediately call the National Response Center (800-424-8802), the Local Emergency Planning Committee and the ND Department of Emergency Services Duty Officer (1-800-472-2121);
- The SPCC Emergency Coordinator (or senior on-site person) will complete the discharge notification form in **Appendix D** and attach a copy to this SPCC Plan; and
- The SPCC Emergency Coordinator (or senior on-site person) will coordinate cleanup and contract a cleanup contractor as necessary.

If the SPCC Emergency Coordinator is not available at the time of the discharge, then the next highest person in seniority assumes responsibility for coordinating response activities.

4.3 Waste Disposal

Waste resulting from a minor discharge response will be contained in impervious bags, drums, or buckets. The SPCC Emergency Coordinator will characterize the waste for proper disposal and ensure it is removed from the Facility by a licensed waste hauler.

Wastes resulting from a major discharge response will be removed and disposed of by a licensed cleanup contractor. Waste materials will be disposed of in accordance with federal and state regulations.

Safety Kleen will be the designated cleanup contractor in the event that hazardous material needs to be removed from the site.

4.4 Discharge Notification

Any size discharge that affects or threatens to affect navigable waters (i.e., one that creates an oil film, sheen, emulsion, or sludge upon navigable waters or adjoining shorelines) must be reported immediately to the National Response Center (800-424-8802). The National Response Center is staffed 24 hours a day.

All leaks and spills must be dealt with immediately. If you need immediate assistance, the Duty Officer will contact the North Dakota Department of Health. In the event of a release that is greater than 25 gallons or one that cannot be immediately cleaned up, the Owner or operator must immediately provide notice (by telephone, radio, or in person) to the emergency coordinator for the Local Emergency Planning Committee (LEPC) and to the State Emergency Response Commission (SERC). Contact the ND Department of Emergency Services Duty Officer through State Radio at 1-800-472-2121 with the following information, if possible:

- Name and type of substance
- Actions taken to contain the spill/leak
- Estimated quantity released
- Type of area affected (ground, water, wetland, river, etc)
- Noticeable health effects as a result of the spill/leak
- Your name and contact information

In addition, 40 CFR 112.4 requires that information be submitted to the United States Environmental Protection Agency (EPA) Regional Administrator and the appropriate state agency in charge of oil pollution control activities (see contact information in **Appendix C**) whenever the facility discharges more than 1,000 gallons of oil to a navigable water in a single event, or discharges more than 42 gallons of oil to navigable waters in each of two discharge incidents within a 12-month period.

Contact information for reporting the discharge to the appropriate authorities is listed in **Appendix C** and is also posted at the information board in the Laydown Yard.

A summary sheet is included in **Appendix D** to facilitate the reporting. The person reporting the discharge will provide the following information:

- Name, location, organization, and telephone number;
- Name and address of the party responsible for the incident;
- Date and time of the incident;

- Source and cause of the release or discharge;
- Type of material(s) released or discharged;
- Quantity of materials released or discharged;
- Danger or threat posed by the release or discharge;
- Number and type of injuries, if any;
- Media affected or threatened by the discharge (i.e., water, land, air);
- Weather conditions at the incident location; and
- Any other information that may help emergency personnel respond to the incident.

FIGURES

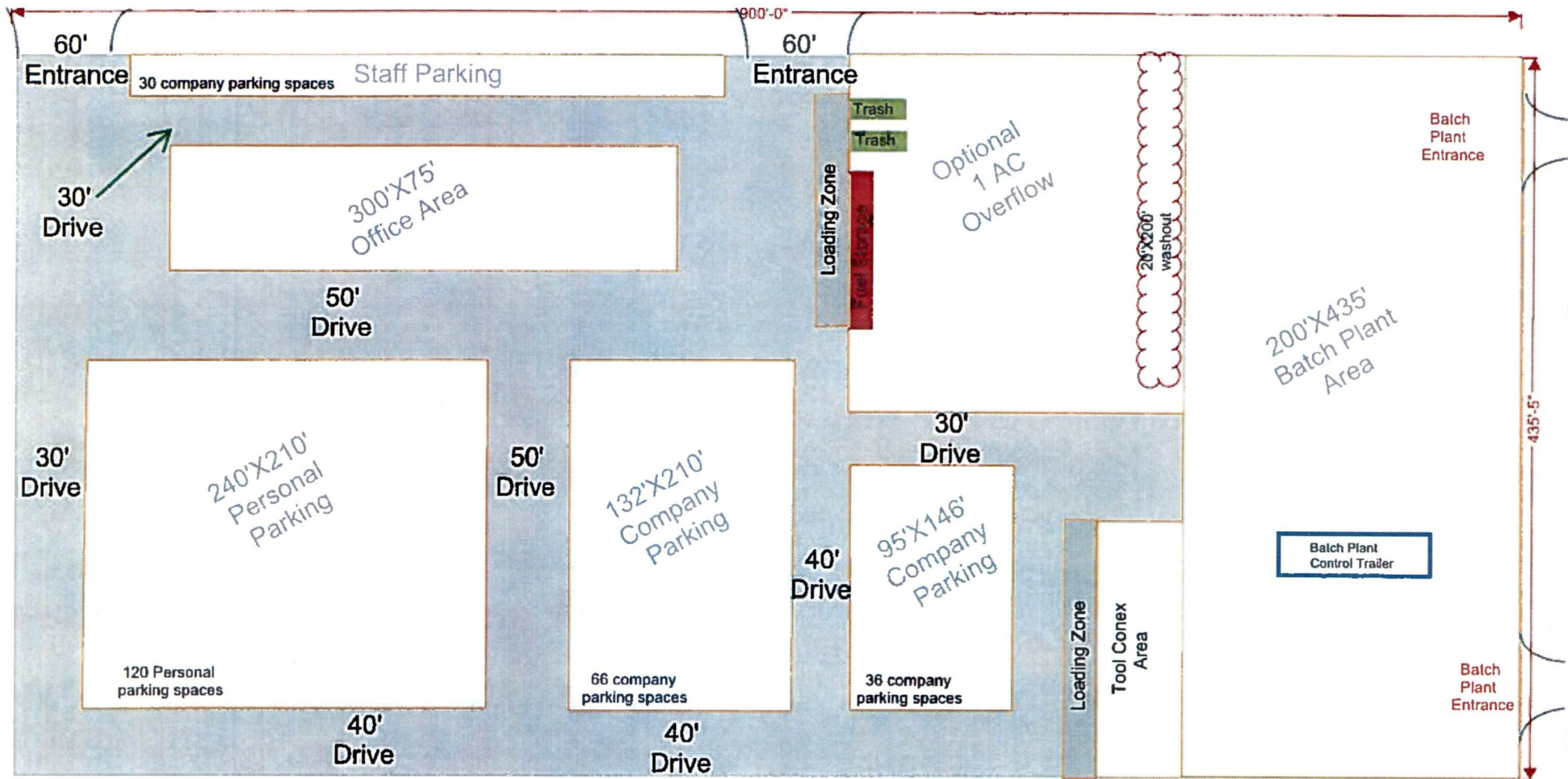


FIGURE 3

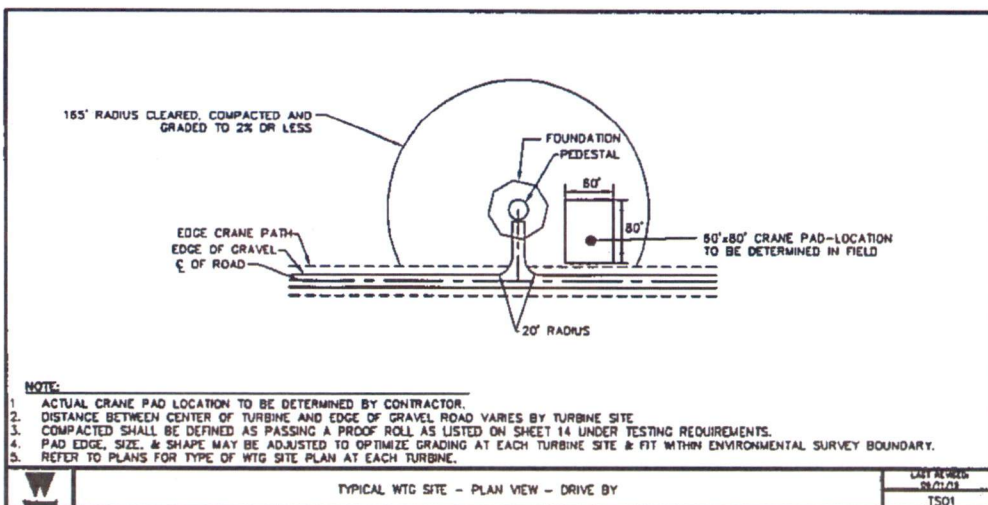
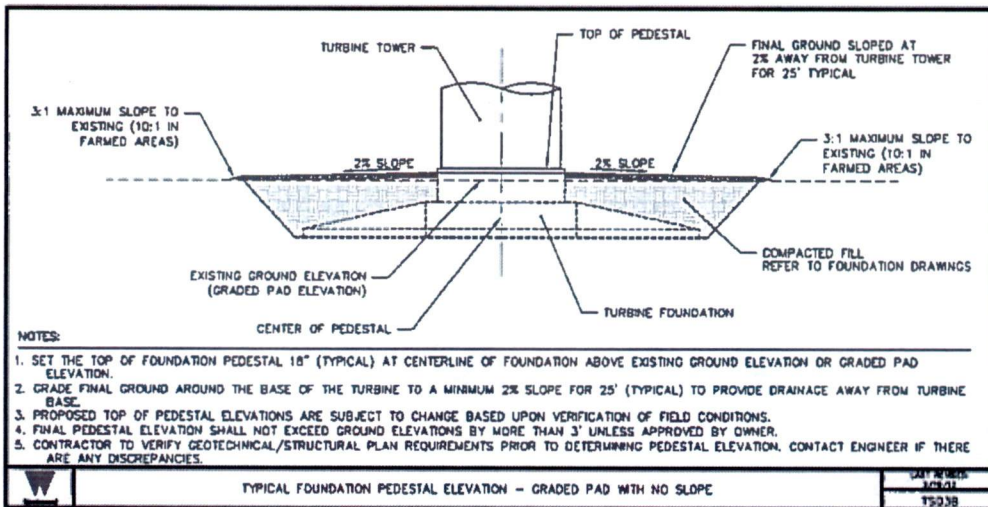
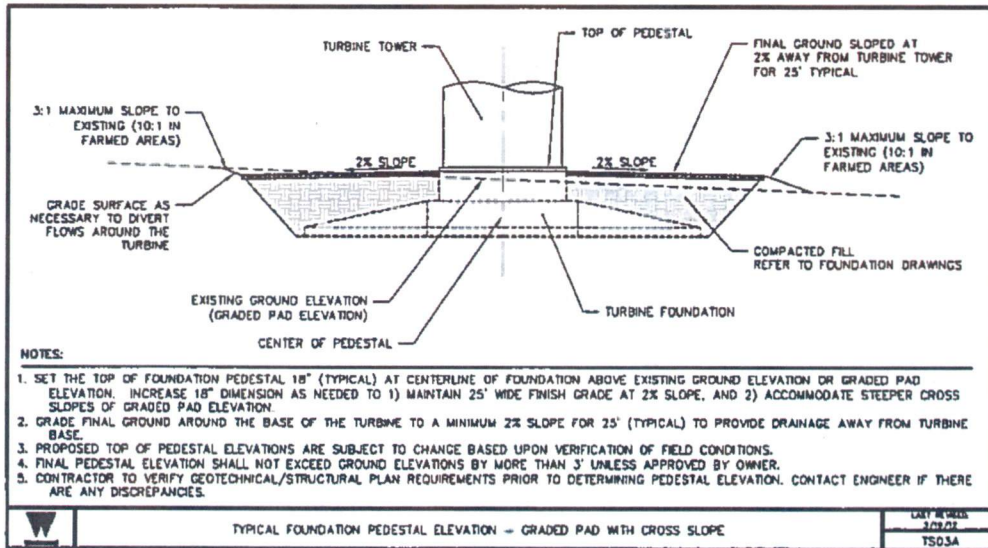
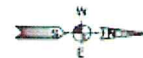
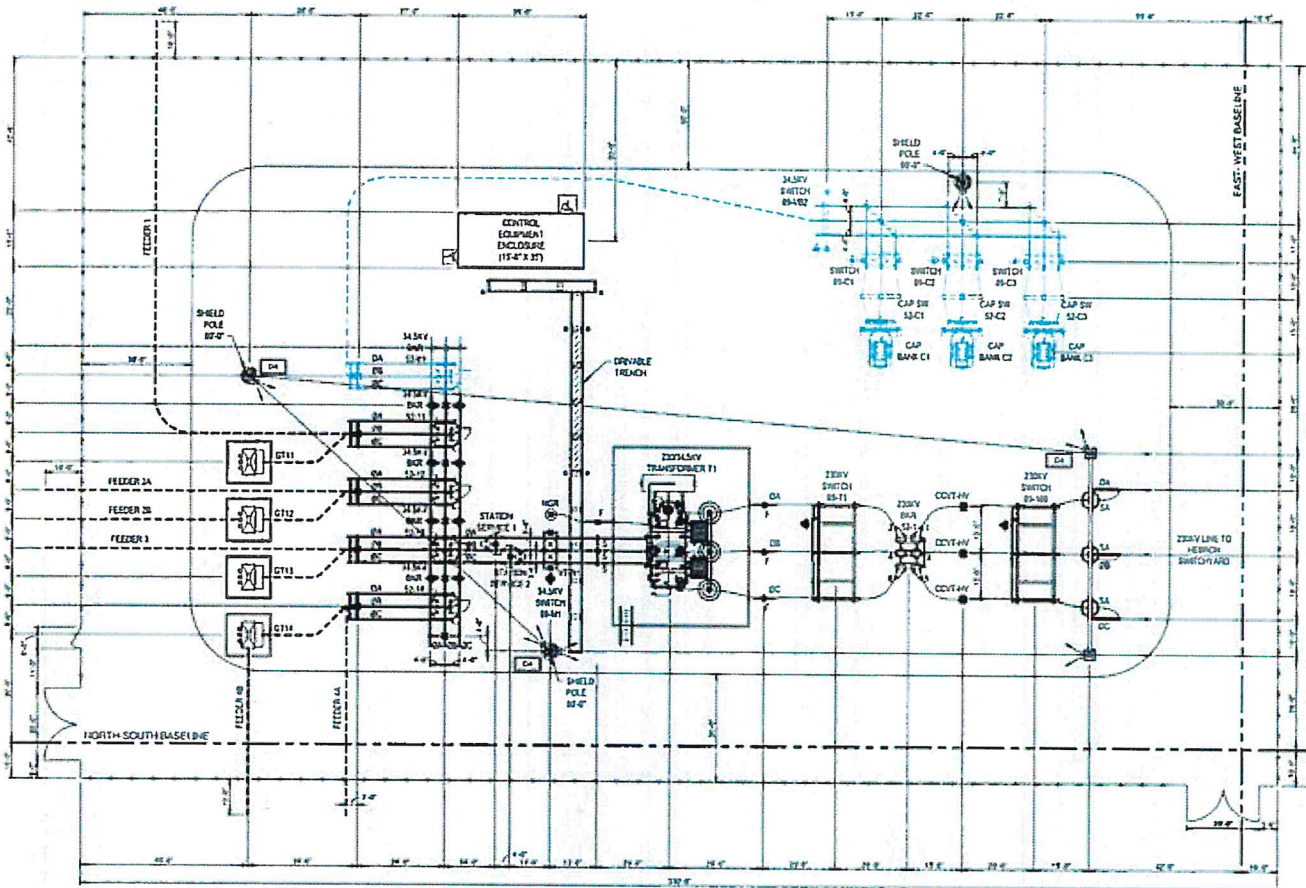


FIGURE 4



- NOTES**
1. LOCATE CABLE & CONDUIT PRIOR TO BOLLARD PLACEMENT.
 2. GANTRYING CABLE (TYS) AND TO BE INSTALLED INSIDE ALL FULCRUM BUS SPANS GREATER THAN 18'. SEE DETAIL 01.

- LEGEND**
- 1 30'-0" FEEDING
 - 2 30'-0" FEEDING
 - 3 30'-0" FEEDING
 - 4 30'-0" FEEDING
 - 5 30'-0" FEEDING
 - 6 30'-0" FEEDING
 - 7 30'-0" FEEDING
 - 8 30'-0" FEEDING
 - 9 30'-0" FEEDING
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 - 99 30'-0" FEEDING
 - 100 30'-0" FEEDING

FIGURE 5

PRELIMINARY
NOT FOR CONSTRUCTION



DATE: 07/24/2015
 SCALE: 1/16" = 1'-0"
 DRAWN BY: RPW
 CHECKED BY: PDD
 APPROVED BY: ECS
 PROJECT #: X

REV	DATE	DRY	CHK	DESCRIPTION
01	07/24/15	RPW	PDD	30% SUBMITTAL

230/34.5KV PROJECT SUBSTATION
 GENERAL ARRANGEMENT

SUNFLOWER WIND ENERGY
 STARK & MORTON COUNTIES, NORTH DAKOTA
 DWG NO. REV NO. PR-0

SUN-ES-300
 CONFIDENTIAL

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APPENDIXES

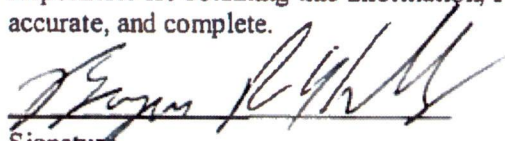
Appendix A
Substantial Harm Determination

Facility Name: Sunflower Wind Project
Facility Address: 3979 County Road 90
Hedron, ND 58638

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?
Yes ___ No x
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 to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?
Yes ___ No x
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 (as calculated using the appropriate formula in 40 CFR part 112 Appendix C, Attachment C-III or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments?
Yes ___ No x
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 (as calculated using the appropriate formula in 40 CFR part 112 Appendix C, Attachment C-III or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake?
Yes ___ No x
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 oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?
Yes ___ No x

Certification

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.



Signature

Project Superintendent, Mortenson

Title

Ben Kelly

Name (type or print)

7-22-16

Date

Appendix C Emergency Contacts

Designated persons responsible for spill prevention:

Ben Kelly
Project Superintendent, Mortenson
Office: 763-287-5533
Cell: 303-524-4234

Joel Opp
Project Manager, Mortenson
Office: 763-287-3652
Cell: 763-486-2473

George Holifield
Safety Engineer II, Mortenson
Office: 612-260-2145
Cell: 206-972-3772

Aron Anderson
Senior Project Manager, Solas Energy Consulting
612-599-4251

EMERGENCY TELEPHONE NUMBERS

Facility:

Safety Kleen 888-375-5336

Local Emergency Response:

911	911
Stark County Sheriff	701-456-7610
Morton County Sheriff	701-667-3330
Hebron Fire Department	701-878-9016

Notification:

National Response Center	800-424-8802 (24 hours)
U.S. Environmental Protection Agency, Region 8	303-312-6312
ND Dept of Emergency Services Duty Officer	1-800-472-2121

Appendix D Discharge Notification Form

In the event of a discharge to navigable waters or adjoining shorelines, the following information will be provided to the National Response Center. See also the notification information provided in Section 4.4 of the SPCC Plan.

Facility Name:	Sunflower Wind Project		
Address:	3979 County Road 90 Hedron, ND 58638		
Telephone:	763-710-6832		
Operator:	Mortenson Construction		
Primary Contact:	Ben Kelly, Project Superintendent 763-287-5533		
Discharge Date:		Discharge Time:	
Weather Conditions and Temperature:			
Name of reporting individual:			
Type of material:			
Quantity released:			
Estimate quantity released to navigable waters:			
Cause of Discharge:			
Action taken to stop, remove and mitigate the effects of the discharge:			
Media affected:	Soil Water (specify) Other (specify)		
Damages or injuries:	No	Yes	Type of Injury:
Organizations and individuals contacted:	Fire/Police/Ambulance #911 Time:		
	National Response Center #800-424-8802		Time:
	EPA Region 8 #303-312-6312		Time:
	North Dakota Duty Officer #800-472-2121		Time:
	Project Superintendent #763-287-5533		Time:
	Project Spill Coordinator #612-260-2145		Time:
	Safety Kleen #888-375-5336		Time:

Appendix F

Monthly Facility Inspection Checklist

The following checklist is to be used for monthly inspections. Completed checklists must be signed by the inspector and maintained at the facility, with the SPCC Plan, for at least three years.

Any item that receives a "yes" answer must be described and addressed immediately.

	Y	N	Description & Comments
<i>Storage Tanks</i>			
Tank surfaces show signs of leakage			
Tanks are damaged, rusted, or deteriorated			
Bolts, rivets, or seams are damaged			
Tank supports are deteriorated or buckled			
Level gauges are inoperable			
Vents are obstructed			
<i>Containment Areas</i>			
Secondary containment is damaged or stained			
Standing water in containment			
Drainage valve is open or not secure			
Evidence of oil release from tank			
<i>Transformers</i>			
Transformer surfaces show signs of leakage			
Transformer is damaged, rusted or deteriorated			
Bolts, rivets, or seams are damaged			
Transformer supports are deteriorated or buckled			
Transformer foundations have eroded or settled			
<i>Safety</i>			
Safety equipment missing or inoperable			
Spill response equipment used and not replaced			
Fire extinguisher not present / operational			
Fuel tank not grounded			

Date: _____ Signature: _____

Appendix H

Calculation of Secondary Containment Capacity

Mortenson Tank Storage Area #1 Secondary Containment in the Laydown Yard

Largest single bulk storage container volume = 1,000 gallons
Containment tub dimensions = 8' x 6' x 3.33' = 160 ft³ = 1,197 gallons

Available freeboard for Precipitation:
1,000 gallons x 110% = 1,100 gallons
1,197 gallons > 1,100 gallons → **okay**

Mortenson Tank Storage Area #2 Secondary Containment in the Laydown Yard

Largest single bulk storage container volume = 1,000 gallons
Containment tub dimensions = 8.5' x 6' x 3' = 153 ft³ = 1,144 gallons

Available freeboard for Precipitation:
1,000 gallons x 110% = 1,100 gallons
1,144 gallons > 1,100 gallons → **okay**

Mortenson Tank Storage Area #3 Secondary Containment in the Laydown Yard

Largest single bulk storage container volume = 560 gallons
Containment tub dimensions = 8' diameter x 2' depth = 100 ft³ = 752 gallons

Available freeboard for Precipitation:
560 gallons x 110% = 616 gallons
752 gallons > 616 gallons → **okay**

Mortenson Drum Storage Area Secondary Containment in the Laydown Yard

Largest single bulk storage container volume = 55 gallons
Containment tub dimensions = 8' diameter x 2' depth = 100 ft³ = 752 gallons

Available freeboard for Precipitation:
55 gallons x 110% = 61 gallons
752 gallons > 61 gallons → **okay**