

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Andeavor Field Services LLC**  
**8" & 6" NGL Pipelines - McKenzie, Billings, Stark**  
**Siting Application**

**Case No. PU-18-72**

**STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION**

On 20 March 2018, Andeavor Field Services LLC (Andeavor) filed an application to protect from disclosure certain confidential information concerning critical energy infrastructure filed with the North Dakota Public Service Commission as part of the application for a Certificate of Corridor Compatibility and Route Permit for the Y-Grade Hub Pipeline Project ("Project"). Specifically, Andeavor seeks to protect the detailed design, safety, emergency response, and related information requested by the Commission.

Pursuant to the request of the Commission for supplemental information, Andeavor submitted a CD for consideration with the Application, but requested the CD be exempt from public disclosure under North Dakota Century Code Section 44-04-24 as the CD contains critical infrastructure information and relate to the security, threat assessments, response plans, and emergency response plans of the Project. The Project is only a part of Andeavor's assets in North Dakota, and the CD includes critical infrastructure information for infrastructure already in place. The information which Andeavor seeks protection are as follows:

1. Corrosion Control Program (NDPSC 000001 - NDPSC 000052)
2. Liquid Pipeline Operations and Maintenance Manual
  - a) O&M Manual Maintenance Standard (NDPSC 000053 - NDPSC 000061)

- b) Accident Investigation Standard (NDPSC 000062 - NDPSC 000067)
- c) Maps and Records Standard (NDPSC 000068 - NDPSC 000074)
- d) Reporting Standard (NDPSC 000075 - NDPSC 000094)
- e) Pipeline Startup and Shutdown Standard (NDPSC 000095 - NDPSC 000100)
- f) Idling and Abandonment Standard (NDPSC 000101 - NDPSC 000110)
- g) Conversion to Service Standard (NDPSC 000111 - NDPSC 000118)
- h) Computational Pipeline Monitoring Standard (NDPSC 000119 - NDPSC 000124)
- i) Maximum Operating Pressure Standard (NDPSC 000125 - NDPSC 000136)
- j) Pressure Testing Standard (NDPSC 000137 - NDPSC 000145)
- k) Pipeline Markers Standard (NDPSC 000146 - NDPSC 000155)
- l) Inspections of Rights-of-Way Standard (NDPSC 000156 - NDPSC 000161)
- m) Inspections of Waterways Standard (NDPSC 000162 - NDPSC 000172)
- n) Valve Maintenance Standard (NDPSC 000173 - NDPSC 000183)
- o) Pipeline Repair Standard (NDPSC 000184 - NDPSC 000190)
- p) Welding and NDT Standard (NDPSC 000191 - NDPSC 000201)
- q) Launchers and Receivers Standard (NDPSC 000202 - NDPSC 000209)
- r) Overpressure Safety Device Standard (NDPSC 000210 - NDPSC 000218)

- s) Firefighting Equipment Standard (NDPSC 000219 - NDPSC 000226)
  - t) Breakout Tank Inspection and Maintenance Standard (NDPSC 000227 - NDPSC 000236)
  - u) Pipeline Facility Signs Standard (NDPSC 000237 - NDPSC 000242)
  - v) Security of Facilities Standard (NDPSC 000243 - NDPSC 000248)
  - w) Smoking and Open Flames Standard (NDPSC 000249 - NDPSC 000253)
  - x) Construction Standard (NDPSC 000254 - NDPSC 000270)
  - y) Pipe Movement Standard (NDPSC 000271 - NDPSC 000276)
  - z) Communications Standard (NDPSC 000277 - NDPSC 000281)
  - aa) Abnormal Operations Standard (NDPSC 000282 - NDPSC 000290)
  - bb) Emergency Operations Standard (NDPSC 000291 - NDPSC 000299)
  - cc) Damage Prevention Program (NDPSC 000300 - NDPSC 000329)
3. High Consequence Area Location Study
- a) Andeavor Logistics Y-Grade Hub HCA Could Affect Analysis (NDPSC 000330 - NDPSC 000397)
  - b) Andeavor Oasis Y Grade Hub HCA Analysis (NDPSC 000398)
  - c) Andeavor Oasis Y Grade Hub HCA Analysis Mapbook (NDPSC 000399 - NDPSC 000415)
- 4) Tesoro High Plains Pipeline Oil Spill Response Plan (NDPSC 000416 - NDPSC 000785)

North Dakota Century Code Section 44-04-24 provides exemption from public disclosure for "all records, information, photographs, audio and visual presentations,

schematic diagrams, surveys, recommendations, communications, or consultations or portions of any such plan relating directly to the physical or electronic security of any critical infrastructure, whether owned by or leased to the state or any of its political subdivisions, or any privately owned or leased critical infrastructure if the plan or a portion of the plan is in the possession of a public entity; threat assessments; vulnerability and capability assessments conducted by a public entity, or any private entity; threat response plans; and emergency evacuation plans." North Dakota Century Code Section 44-04-24(2)(b). Critical infrastructure is broadly defined and includes "public buildings, systems, including telecommunications centers and computers, power generation plants, dams, bridges, and similar key resources, whether physical or virtual, so vital to the state that the incapacity or destruction of these systems would have a debilitating impact on security, state economic security, state public health or safety, or any combination of those matters." North Dakota Century Code Section 44-04-24(2)(a).

The information, which Andeavor seeks to be protected, includes detailed critical infrastructure information, including design, safety, emergency response, and related information which shows the exact location of this Project and other existing energy infrastructure located within a close proximity of this new pipeline. Andeavor is a subsidiary of Andeavor Logistics LP, a leading full-service logistics company operating primarily in the western and midcontinent regions of the United States. Andeavor Logistics LP owns and operates a network of crude oil, refined products, and natural gas pipelines. Andeavor Logistics LP also owns and operates crude oil and refined products truck terminals, marine terminals and dedicated storage facilities. In addition,

Andeavor Logistics LP owns and operates natural gas processing and fractionation complexes. Andeavor's assets are considered critical energy infrastructure, as the infrastructure plays an important role in the distribution of vital energy supplies to the refinery markets in the Midwest and beyond. The specific and detailed information contained on the CD applies to multiple Andeavor assets in North Dakota, including infrastructure, which has already been constructed, which would be of great benefit to anyone with a desire to disrupt the economy through an attack on this infrastructure. Accordingly, distribution of this information must be controlled and not released within the public domain without good cause shown. The information contained on the CD also qualifies as being exempt from public disclosure pursuant to North Dakota Century Code Section 44-04-24.

Andeavor also requested the Commission waive the requirement found in North Dakota Administrative Code Section 69-02-09-01(5) for submission of a redacted public version of the information. The Application states that given the voluminous documentation provided to the Commission in response to the Commission's request for supplemental information, redaction of the confidential information at this stage would be overly burdensome and would serve no purpose for use by the public.

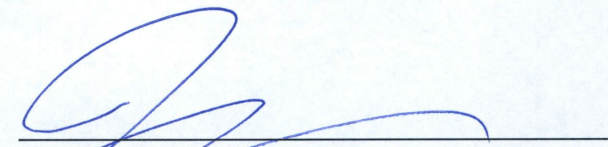
Consistent with the Commission's guidelines for an application to protect information, Andeavor has filed a CD which contains the above-referenced documents requested by the Commission, in a sealed envelope labeled "PROTECTED INFORMATION - PRIVATE". See North Dakota Administrative Code Section 69-02-09-02. Pursuant to consultation with Commission staff, the Commission has agreed to

accept this information in electronic format only at this time and paper copies will be made available for Commission use upon request.

Staff believes the information qualifies for the protection Andeavor seeks. In addition, similar but less detailed and exact information is included in the application, which provides information necessary for interested parties to review the project and associated factors in this siting proceeding without disclosure of the critical energy infrastructure information.

For reasons set forth above, staff recommends that the Commission grant Andeavor's request to protect certain information filed in this case.

Dated this 1st day of April, 2018.



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John Schuh  
Legal Counsel  
North Dakota Public Service Commission

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION** was, on 2 April 2019, served on the following by email:

**Lawrence Bender (lbender@fredlaw.com)**

Dated this 2nd day of April 2019.



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John Schuh  
Legal Counsel