



Public Service Commission State of North Dakota

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January 13, 2020

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NOTICE OF NONCOMPLIANCE

RE: Case No. PU-18-72, Andeavor Field Services LLC, 8" & 6" NGL Pipelines
– McKenzie, Billings, Stark Counties

The North Dakota Public Service Commission retained Wenck Associates, Inc. as a third-party vendor to provide construction inspection services in the above-referenced case.

On October 29, 2019, Wenck filed an As-Built Inspection Report (Report) regarding the Andeavor NGL Pipeline Project. Wenck determined that as-built pipeline alignment deviated from the route designated by the Commission at four locations: (1) S 22, T 149N, R 98W, (2) S 34, T 141N, R 99W, (3) S 06, T 140N, R 99W, and (4) S 10 and S 11, T 139N, R 100W. (Report paragraph 3.3.3).

Andeavor did not file with the Commission, certifications and supporting documentation, required under NDCC 49-22.1-15, for the four route adjustments.

Wenck also concludes that Andeavor did not provide copies of certain permits to the Commission prior to construction of certain portions of the project as required by Order paragraph 10 and Certification Provision 3 attached to the Order:

- In a letter to Andeavor, McKenzie County specified the sections, townships, and ranges in which Andeavor was permitted to construct the pipeline (Docket 50: McKenzie County Conditional Use Permit Approval Letter); however, Andeavor adjusted the pipeline route to cross through S 22, T 149N, R 98W, which was not among the approved sections. Andeavor filed no request of approval or verification of approval from McKenzie County to construct the pipeline in S 22, T 149N, R 98W.
- Andeavor did not file a copy of the permit application and permit approval from Billings County for the Transfer Line Segment.
- Andeavor did not file a copy of its ND Department of Health Permit to Discharge Hydrostatic Test Water.

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Notice Of Noncompliance

- Andeavor did not file copies of permits from the Department of Transportation (DOT), Federal Highway Administration to cross federal-aid highways.
- Andeavor did not file a copy of its Utility Occupancy Permit from the ND Department of Transportation.
- Andeavor did not file a copy of its Billings County Conditional Use/Pipeline Permit.
- Andeavor did not file a copy of its McKenzie County Conditional Use/Pipeline Permit.

Andeavor did not keep the Commission and the Commission's third-party construction inspector updated on construction activities on a monthly basis. (Certification provision 10).

You may contact me at 701-328-4077 with any questions concerning this letter.

Best regards,

A handwritten signature in cursive script that reads "Patrick Fahn".

Patrick Fahn
Director, Public Utilities Division