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February 25, 2020

Via USPS and E-mail

Mr. Adam Renfandt
Analyst Public Utilities Division
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480
arenfandt@ndpsc.gov
ndpsc@nd.gov

**RE: Case No. PU-18-404
Belle Fourche Pipeline Company
8-inch Wilson-Bowline Pipeline Conversion Project
Our File No. 013084-000013**

Dear Mr. Renfandt:

In am writing in response to your inquiry regarding the status of Belle Fourche Pipeline Company's ("Belle Fourche") depth of cover study for the Wilson to Bowline Project referenced in Order Provision No. 7 of the Commission's September 4, 2019 Findings of Fact, Conclusions of Law and Order. Specifically, Order Provision No. 7 states:

Along the entire length of the pipeline's route, Belle Fourche shall conduct a study providing the depth of cover from the top of the pipeline and the ground level. The study should identify all location(s) where the pipeline was not buried to a minimum depth from the ground surface to the top of the pipe of 48 inches in range land, 48 inches for cultivated land, 48 inches at the bottom of the ditch for road crossings, and 72 inches across undeveloped section lines. For all location(s) identified in the preceding sentence, Belle Fourche shall describe its mitigation plan(s) to minimize or eliminate environmental safety concerns, and Belle Fourche shall update Late-filed Exhibit 10 to identify all those location(s).

In March 2019 Belle Fourche conducted a close interval survey of the entire pipeline. A close interval survey provides electrical readings every 2 feet along the pipeline. The electrical

readings verify the cathodic protection (corrosion control) on the pipeline. The data obtained from this survey can be interpreted to assess the pipeline's depth and areas of concern. The electrical readings indicate the relative depth of the line. The March 2019 survey data did not identify any apparent shallow pipeline depths. By July 1, 2020, Belle Fourche will conduct a depth of cover study along the pipeline in areas using line finders and probes to verify, with greater accuracy, the depth of the line. Belle Fourche will submit the above requested information to the Commission by September 1, 2020.

The Project was constructed as a gathering system in segments beginning in 1978 and in 2012. The North Dakota Industrial Commission ("NDIC") has jurisdiction over the construction and operation of gathering systems. In 2016, the NDIC amended its rules to require the depth of cover for a gathering system crossing an undeveloped governmental section line to be at least 72 inches. *See* N.D. Admin. Code § 43-02-03-29.1(4)(j). The depth requirement became effective October 1, 2016 and was applicable to "newly constructed crude oil gathering pipelines" only. As a result, the gathering system was not constructed to a depth of 72 inches across undeveloped section lines because the Project's construction predates the adoption of this requirement. As provided for in its Certification Relating to Order Provisions, should Belle Fourche construct a new pipeline within the Project's certificated corridor, it will construct said line in accordance with this requirement. *See*, Order, Certification Relating to Order Provision No. 9. Therefore, Belle Fourche respectfully submits that additional mitigation is not required for undeveloped sections line crossings at depths less than 72 inches.

In accordance with Order Provision No. 6 pertaining to a geotechnical evaluation, Belle Fourche will conduct this study when surface conditions are dry and anticipates that this study will be conducted in June 2020.

Feel free to contact me with any questions.

Respectfully,

CROWLEY FLECK PLLP



CASEY A. FUREY

cc: Kevin Cook (*via email*)