

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Access, LLC
Dakota Access Pipeline Project
Siting Exclusion Certification

CASE NO. PU-14-842

CERTIFICATION OF APPLICANT
PURSUANT TO NORTH DAKOTA CENTURY CODE § 49-22.1-01(3)

STATE OF TEXAS)
) ss
COUNTY OF HARRIS)

Charles Frey, being first duly sworn upon oath, states and alleges as follows:

1. I am the Vice President of Engineering for Dakota Access, LLC (“Dakota Access”), and I am familiar with the Dakota Access Pipeline Project (“Project”) that is the subject of Case No. PU-14-842 and the Second Amended Certificate of Corridor Compatibility No. 179 and the Second Amended Route Permit No. 191. I am also familiar with the proposed transmission facility enhancements and/or modifications that are the subject of this Certification. I have the authority to bind Dakota Access with respect to the certifications made herein.

2. I provide this Certification in support of Dakota Access’s plans to construct and install certain enhancements and/or modifications as part of an Optimization to one of the Project’s tank terminals, located approximately 0.75 miles east of Johnsons Corner, McKenzie County, North Dakota, in the NE ¼ of Section 23, Township 150N, Range 96W (“Johnsons Corner”), pursuant to North Dakota Century Code (“N.D.C.C.”) § 49-22.1-01(3)(a).

3. On December 22, 2014, Dakota Access made application to the North Dakota Public Service Commission (“Commission”), seeking a corridor certificate and route permit that would allow for a 358-mile crude oil pipeline and associated facilities in Mountrail, Williams,

McKenzie, Dunn, Mercer, Morton, and Emmons Counties, North Dakota, with terminals near Stanley in Mountrail County, near Tioga in Williams County, near Epping in Williams County, near Trenton in Williams County, near Watford City in McKenzie County, and near Johnsons Corner in McKenzie County. *See* Case No. PU-14-842, Docket No. 1. The Commission entered its Findings of Fact, Conclusions of Law and Order and issued Certificate Site Compatibility No.179 and Route Permit No. 191 for the Project on January 20, 2016. *See* Case No. PU-14-842, Docket No. 134.

4. On April 6, 2016, Dakota Access made application to the Commission for an amended certificate of corridor compatibility and amended route permit, seeking reroute approval at fifteen (15) locations in order to accommodate landowner requests, make environmental protection adjustments, and incorporate constructability modifications that would generally provide for more efficient installation and ultimately minimize long term impacts to landowners' property. *See* Case No. PU-14-842, Docket No. 156. The Commission initially approved fourteen (14) of Dakota Access's fifteen (15) requested reroute locations, and entered its Supplemental Findings of Fact, conclusions of Law and Order, and issued the First Amended Certificate of Site Compatibility No. 179 and First Amended Route Permit No. 191 for the Project on May 24, 2016. The Commission requested additional information regarding certain stability concerns of the final reroute request (referred to as "Reroute Location 50"). *Id.*

5. After Dakota Access provided the additional information regarding Reroute Location 50, as requested by the Commission, via a memorandum from GeoEngineers, the Commission entered its Second Supplemental Findings of Fact, Conclusions of Law and Order (the "Order"), issuing the Second Amended Certificate of Corridor Compatibility No. 179 and the Second Amended Route Permit No. 191 on June 22, 2016. *See* Case No. PU-14-842, Docket No. 192.

6. Crude oil production in the Williston Basin has increased from approximately 1.045 million barrels per day in June of 2017 to approximately 1.349 million barrels per day in December of 2018. Current forecasts suggest that production is expected to increase by another 350 thousand to 450 thousand barrels per day over the next five (5) years. This increase in production has led to an increased demand for crude oil transportation services on the Dakota Access Pipeline, in lieu of transportation by rail or truck, which are less safe, less efficient, and more expensive forms of transportation than transport by pipeline. The existing maximum capacity of the Project is oversubscribed by shippers holding or seeking long-term transportation contracts.

7. To assist in accommodating the increase in production of crude oil from the Williston Basin, the increase in demand of pipeline transportation of crude oil, and the increase in demand from current and potential new shippers, Dakota Access intends to optimize the system by incorporating certain enhancements and/or modifications at Johnsons Corner. Such enhancements and/or modifications will not require Dakota Access to alter the designated corridor or the designated route provided in the Second Amended Certificate of Corridor Compatibility No. 179 and the Second Amended Route Permit No. 191.

8. In accordance with N.D.C.C. § 49-22.1-01(3)(a)(3)(d), Dakota Access ultimately intends to increase the total capacity of the existing Project to up to 1.1 million barrels per day to meet increased demand for additional crude oil transportation capacity. As part of the optimization, enhancements and/or modifications at Johnsons Corner will assist in this overall increase of capacity.

9. The optimization enhancements and/or modifications at Johnsons Corner will be constructed wholly within the approximate fifty (50) acre portion of the NE ¼ of Section 23, Township 150N, Range 96W, which holds the Project's Johnsons Corner tank terminal, as

designated in the Second Amended Certificate of Corridor Compatibility No. 179 and the Second Amended Route Permit No. 191. *See* N.D.C.C. § 49-22.1-01(3)(a)(1)(a).

10. Work associated with the optimization improvements at Johnsons Corner will include modifications to existing inlet and outlet pipeline meters; modifications to existing shipper custody transfer meters; the replacement and/or addition of pipeline pump manifolds and inlet and outlet manifolds within the original booster pump location; and the addition of one (1) 300,000 barrel-capacity tank designed and constructed in accordance with API standard 650 Welded Steel Tanks for Oil Storage with an internal floating roof tank, and the addition of two (2) 6,000 HP mainline pumps. A plot plan of the current Johnsons Corner facility which depicts in red the proposed enhancements and/or modifications at Johnsons Corner is attached hereto and labeled as **Exhibit A**.

11. In conjunction with the original Application for a Certificate of Corridor Compatibility and Route Permit submitted to the Commission for the Project, the necessary field studies were conducted to confirm the presence or absence of exclusion and avoidance areas at Johnsons Corner. Those field studies confirmed there were no exclusion or avoidance areas at Johnsons Corner.

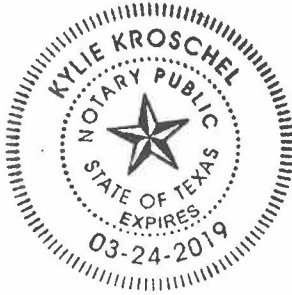
In accordance with N.D.C.C. § 49-22.1-01(3)(a)(4), Dakota Access certifies as follows:


12. As noted in Paragraph 11 above, the activities associated with the optimization enhancements and/or modifications at Johnsons Corner will not affect any known exclusion or avoidance area. *See* N.D.C.C. § 49-22.1-01(3)(a)(4)(a).

13. The optimization activities are to implement certain enhancements and/or modifications at Johnsons Corner to assist in the overall increase in capacity of an existing liquid transmission facility. *See* N.D.C.C. § 49-22.1-01(3)(a)(4)(b)[4].

14. Dakota Access will comply with all applicable conditions and protection in siting laws and rules and Commission orders previously issued for any part of the facility. See N.D.C.C. § 49-22.1-01(3)(a)(4)(c).

FURTHER AFFIANT SAYETH NOT.





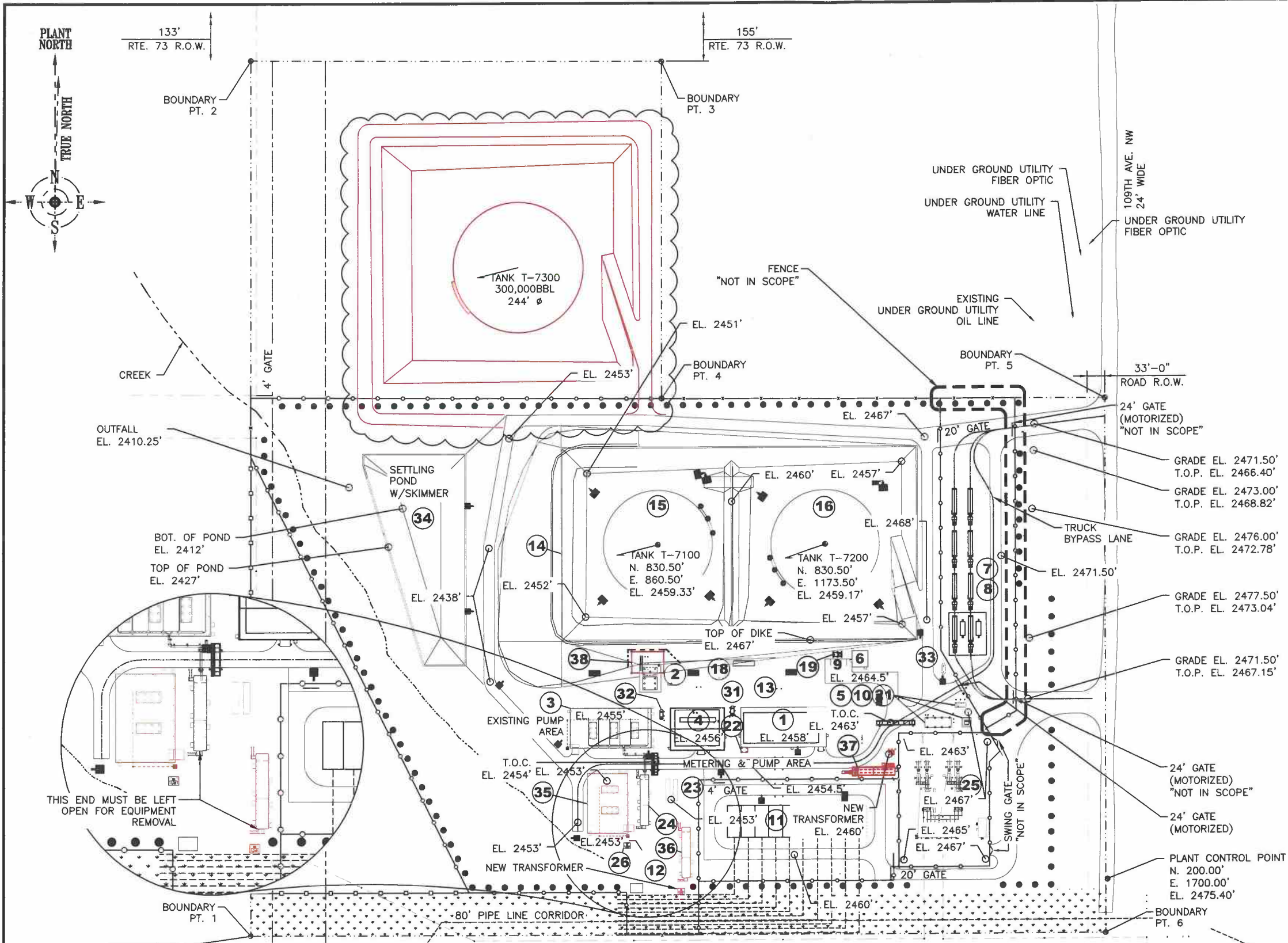
Charles Frey
Vice President of Engineering
Dakota Access, LLC

Subscribed and sworn to before me
this 18th day of June, 2019.



Notary Public

Exhibit A
to Certification of Applicant Pursuant to North Dakota Century Code § 49-22.1-01(3)
Diagram of the Current Johnson Corner Tank Facility and its Proposed Enhancements and/or
Modifications



JOHNSON CORNERS FACILITIES		
ITEM#	EQUIP. OR SITE IMPROVEMENT	DESCRIPTION / DIMENSION
1	CLIENT METER BUILDING	75'x160'
2	BOOSTER PUMPS	
3	MAIN LINE PUMP BUILDING	BY OTHERS
4	MAIN LINE METER BUILDING	80'x100'
5	PEC BLDG	18'x50'
6	OFFICE BLDG	30'x30'
7	LACT UNIT BLDG (FUTURE)	"NOT IN SCOPE"
8	TRUCK UNLOADING (FUTURE)	"NOT IN SCOPE"
9	PARKING AREA	
10	TRANSFORMER AREA	
11	CLIENT RECEIVER AREA	
12	PIPELINE MANIFOLD	
13	TANK MANIFOLD AREA	
14	TANK DIKE	
15	STORAGE TANK	200,000 BARRELS
16	STORAGE TANK	200,000 BARRELS
18	FIRE PROTECTION SKID	
19	SEPTIC TANK	
21	GENERATOR	
22	LABORATORY	10'x12'
23	DRA SKIDS	32'x50'
24	PCR BLDG. (BY OTHERS)	"NOT IN SCOPE"
25	SUBSTATION. (BY OTHERS)	"NOT IN SCOPE"
26	TRANSFORMER AREA. (BY OTHERS)	"NOT IN SCOPE"
31	PROCESS SUMP	
32	PROCESS SUMP	
33	TRUCK UNLOADING SUMP (FUTURE)	"NOT IN SCOPE"
34	SKIMMING POND	
35	NEW PUMP BUILDING	115'Lx75'Wx36'T
36	NEW PCR BUILDING	95.5'Lx16.2'Wx16.5'T
37	NEW PDC BUILDING	75'Lx15'Wx16'T
38	NEW BOOSTER PUMP BUILDING	60'x40'

PRELIMINARY

LEGEND:

	CHAIN LINK FENCE LINE
	CHAIN LINK FENCE LINE AND PROPERTY BDY.
	PROPERTY BDY. LINE
	BARB WIRE FENCE LINE AND PROPERTY BDY.
	EASEMENT/R.O.W.
	ACCESS ROAD
	TREES
	LED FLOOD LIGHT

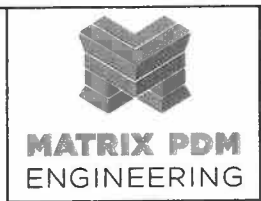
REV.	DATE	APP#	DESCRIPTION	APPROVAL
12E	06/04/19		RE-ISSUED FOR REVIEW	JRH PHE
12D	05/24/19		RE-ISSUED FOR REVIEW	ZEW JJK PHE
12C	05/22/19		RE-ISSUED FOR REVIEW	JRH PCH PHE

PLANT CONTROL POINT	
PLANT COORDINATE & ELEVATION	UTM NAD83 DATUM, ZONE 13, US FOOT, CENTRAL MERIDIAN 105d W
N 200.00'	N 17375292.8720'
E 1700.00'	E 2151409.1795'
EL. 2475.40'	EL. 2475.40'

PROPERTY BOUNDARY POINTS			
POINT#	NORTHING	EASTING	ELEVATION
PT. 1	17375149.76'	2149812.54'	2454.60'
PT. 2	17376786.10'	2149768.26'	2396.53'
PT. 3	17376804.05'	2150537.20'	2424.21'
PT. 4	17376174.22'	2150553.09'	2456.91'
PT. 5	17376193.42'	2151382.95'	2474.14'
PT. 6	17375192.91'	2151408.30'	2476.72'

JOHNSONS CORNER - 47.93 Ac.
PLOT PLAN

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ENGINEERING RECORD	
DRAWN BY	BLH
CHECKED BY	ERR
APPROVED BY	RNW
DATE	12MAY15
SCALE	AS SHOWN

Sunoco Logistics Partners L.P.

JOHNSONS CORNER
CIVIL
PLOT PLAN

McKENZIE COUNTY

CONTRACT 2438-6006	OLD DRAWING NO.	DWG. NO. W_MCKE_C100000	REV. NO. 12E
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