

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

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
FOR THE MIDWEST CARBON EXPRESS
PROJECT IN BURLEIGH, CASS, DICKY,
EMMONS, LOGAN, MCINTOSH,
MORTON, OLIVER, RICHLAND AND
SARGENT COUNTIES, NORTH DAKOTA

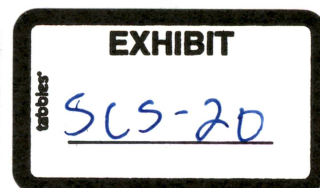
CASE NO. PU-22-391

REBUTTAL TESTIMONY OF DAVID J. DAUM

ON BEHALF OF

SCS CARBON TRANSPORT LLC

June 2, 2024



1 **Witness Introduction**

2 **Q. Please state your name, business address, and present position.**

3 A. My name is David J. Daum. I am the Senior Director of Health, Safety, Security, &
4 Environmental (“HSSE”) for Summit Carbon Solutions, LLC (“Summit”) with a business
5 address of 2321 N. Loop Dr., Suite 221, Ames, IA, 50010.

6 **Q. What are your duties and responsibilities in your present position?**

7 A. I am responsible for providing the strategy for Summit’s HSSE efforts. My responsibilities
8 include overseeing our occupational health, safety, security, and environmental operational
9 management systems. I am also responsible for leading companywide efforts to deliver
10 strategic key HSSE results by reducing risk through regulatory compliance initiatives and
11 best practices.

12 **Q. Please describe your educational and professional background.**

13 A. I received my Bachelor of Science degree in Occupational Safety and Health and a minor
14 in Environmental Health from Illinois State University in 1992. I received my Master of
15 Science degree in Industrial Management from Northern Illinois University in 1999. I am
16 also a Certified Safety Professional (“CSP”). I have 30 years of experience leading HSSE
17 and Operations for organizations in the heavy construction and oil & gas industries. I have
18 led HSSE and pipeline operations teams across the US and abroad. I have also led integrity
19 management projects for BP Pipelines NA across 30 states and approximately 15,000 miles
20 of pipeline. Prior to my role with Summit, I was Director of HSSE and Carbon for BP
21 Angola. My statement of qualifications is attached as **Attachment A**.

22 **Q. Have you previously provided testimony before the North Dakota Public Service**
23 **Commission (“Commission”)?**

24 A. No.

1 **Q. What is the purpose of your rebuttal testimony in this proceeding?**

2 A. The purpose of my testimony is to provide the Commission with additional background
3 information regarding: emergency response meetings with Emergency Managers and first
4 responders and Safety Tour meetings with the public and other stakeholders in North
5 Dakota; to provide details on the Emergency Management Grant Program and discussions
6 specific to equipment needs; and to provide information on the HazMat Liquid & CO₂
7 Pipeline Training program through TEEX (Texas A&M Engineering Extension Service).

8 **Meetings with Emergency Managers, First Responders, and the Public**

9 **Q. Has Summit engaged with local Emergency Managers and Emergency Responders?**

10 A. Yes, SCS employees have been engaging with Emergency Responders across the footprint
11 of this project.

12 **Q. How did you engage Emergency Managers and Emergency Responders?**

13 A. I and other SCS personnel have reached out via phone, e-mail and by meeting with
14 emergency managers and emergency response personnel in person since the beginning of
15 the project and will continue to do so.

16 **Q. With respect to in-person meetings, what can you share about these meetings?**

17 A. Summit personnel have had many meetings with County Emergency Managers and/or
18 emergency response personnel in North Dakota. Among those meetings, Summit met in
19 person with County Emergency Managers and emergency response personnel between
20 November 2023 and May 2024 at which dispersion modeling was discussed; those
21 meetings are identified in the Rebuttal Testimony of Alex Lange ("County Emergency
22 Responder Meetings"). We have also held safety tour meetings open to the public that
23 have been attended by some Emergency Managers and/or emergency response personnel.

1 I also personally attended a meeting with the Morton County Emergency Manager and a
2 meeting with representatives of the City of Bismarck and Bismarck Rural Fire
3 Departments.

4 **Q. Did you personally participate in any of the eleven County Emergency Responder**
5 **Meetings?**

6 A. Yes, I participated in a meeting led by Summit's Alex Lange in Burleigh County. My role
7 was to be a source of information and work with attendees regarding any issues or questions
8 they had about safety and emergency response. I also followed up after the meeting with
9 e-mail correspondence to Burleigh County's and Emmons County's Emergency Manager,
10 Mary Senger, and other meeting attendees regarding documents or information that was
11 requested during the meeting. I shared documents and information to the extent consistent
12 with Summit's understanding of the applicable rules and regulations and the Commission's
13 August 4, 2023 Order on Protection of Information.

14 **Q. Based on your experience, is the outreach that Summit has conducted with emergency**
15 **responders typical?**

16 A. No. Based upon my experience and knowledge, the amount of outreach that Summit has
17 conducted to date exceeds that of other pipeline projects at similar stages of project
18 development, and there will continue to be additional outreach and engagement with more
19 than two years before operation.

20 **Equipment Requests and Grant Program**

21 **Q. Has Summit inquired about equipment needs with local emergency responders?**

22 A. Yes, we have. We have also explained that Summit has a Grant Program that will provide
23 funding for specific equipment needs.

1 **Q. Can you explain Summit's Grant Program?**

2 A. Yes, Summit will provide a grant to each county that will be crossed by Summit's pipeline.
3 Summit will work with Emergency Managers and First Responders along the route to
4 allocate these funds based on their individual needs. These funds will be in addition to
5 CO₂ monitors (which will be provided to every county the pipeline passes through) and
6 other equipment provided by SCS. The grant will be \$50,000, plus an additional \$1,000
7 per mile of pipeline in each county. The funds will be disbursed once all requisite federal,
8 state, and local permits for the pipeline project are secured.

9 In addition to and separate from this grant, Summit will continue working with
10 Emergency Managers and first responders to identify and support response equipment
11 needs.

12 **Q. Has Summit received any requests from Burleigh County for additional equipment**
13 **that Summit has not agreed to provide?**

14 A. To my knowledge, which I believe is consistent with Ms. Senger's testimony, there have
15 not been any requests for equipment beyond CO₂ monitors, and Summit has previously
16 committed to providing such monitors.

17 **Emergency Response Plan**

18 **Q. Have you provided the draft Emergency Response Plan to Burleigh County's**
19 **Emergency Manager?**

20 A. Yes, I provided that document to Ms. Senger following the meeting I described above.

21 **Q. Can you explain the process by which the Emergency Response Plan will be**
22 **completed?**

23 A. Yes. Pipeline safety, including emergency response plans, is regulated by the United States
24 federal government. Specifically, PHMSA has oversight of and responsibility for
25 reviewing pipeline emergency response plans. Requirements for emergency response

1 plans are set out in 49 CFR 195. The purpose of the Emergency Response Plan (“ERP”)
2 is to provide guidance for a quick, safe, and effective response in an emergency to protect
3 the public, responders, Summit personnel, and the environment. Summit’s finalized ERP
4 will meet or exceed the federal requirements. Summit will implement the best applicable
5 guidance and incorporate best practices in the ERP and related safety management system
6 plans and procedures.

7 Summit is committed to continuing to meet with and provide all information
8 necessary for emergency preparedness. To that end, development of the ERP is an
9 important process and will be undertaken at the appropriate times. At this stage in the
10 process, with the final route not yet determined, construction yet to begin, and operations
11 likely two years away, the ERP is in draft form. As the final route is determined, and as
12 the pipeline is closer to being placed in service, the ERP will be fully built out by Summit.
13 Although not required by PHMSA, Summit will take the extra step of preparing Initial
14 Response Tactics (“IRTs”) that will be the specific plan for a response that is applicable to
15 each mile of the pipeline. The IRTs provide specific details for how a response should
16 proceed, including what roads may need to be closed, and what homes and businesses are
17 in the area so that responders know where to go to contact people, and how the CO₂ may
18 disperse in that area.

19 **Q. Why hasn’t Summit prepared all of the IRTs and fully completed the ERP yet?**

20 A. As noted above, the IRTs depend upon the ultimate route of the project and are developed
21 with the assistance of first responders taking into account their first-hand knowledge of the
22 areas around the route. At this stage, there is not a final route and it would be premature

1 to draw upon the first responders' time and resources to develop a plan this far ahead of
2 pipeline operations.

3 Summit commits, unequivocally, to continuing to collaborate with Burleigh County
4 and other emergency response personnel throughout North Dakota to continue the
5 educational process as we move toward further development of the final ERP and IRTs.
6 This will include the completion of the IRTs during the educational sessions and then going
7 through exercises with the first responders and Summit personnel based upon the IRTs.
8 Summit further commits, unequivocally, to ongoing efforts to ensure that emergency
9 response personnel throughout North Dakota who may be called upon in the event of an
10 emergency are prepared to do so.

11 **Texas A&M training**

12 **Q. Has Summit offered any additional educational opportunities to local emergency**
13 **responders to learn more about pipelines, emergency response and CO₂?**

14 **A.** Yes. Texas A&M University Engineering Extension Service (TEEX), as part of its
15 Emergency Services Training Institute, developed and offers a two-day on-site training
16 program called, "HazMat Liquid & CO₂ Pipeline and Industrial Fires Emergency
17 Training." The information provided in this course includes Pipeline Basics 101,
18 properties of CO₂, air monitoring basics, Emergency response and the Incident Command
19 System (ICS), as well as live response interactive demonstrations with a CO₂ release. A
20 copy of the course flyer/overview is attached as **Attachment B**. Summit has invited North
21 Dakota emergency managers to the course at Summit's cost. While a couple of local
22 emergency responders from South Dakota have taken Summit's offer and attended this
23 training already, no North Dakota emergency response personnel has taken Summit up on
24 this opportunity yet. (This is not surprising: some have expressed interest, the opportunity

1 is fairly recent and there are limited seats per session; I believe the issue has mainly been
2 one of scheduling.) Based on Ms. Senger's testimony, I understand that the offer was not
3 accepted at this time by any of the persons she forwarded the invitation to. Summit will
4 continue to offer this training as we proceed with the development of the project and
5 hopefully over the time between now and project operation, numerous North Dakota
6 emergency responders can work it into their schedule.

7 **Q. Does this conclude your prepared rebuttal testimony?**

8 **A.** Yes, it does.

9 **Dated this 2nd day of June, 2024.**

10
11
12 /s/ David J. Daum

13 **David J. Daum**

ATTACHMENT A
Statement of Qualifications

David J. Daum, CSP

Mobile: +1 (907) 947-7045

**E-mail: ddaum@summitcarbon.com
djd122968@gmail.com**

EDUCATION:

Northern Illinois University, Dekalb, Illinois (9/97 - 12/99)

Master of Science Degree in Industrial Management

Illinois State University, Normal, Illinois (8/87 - 5/92)

Bachelor of Science Degree in Occupational Safety

Minor in Environmental Health

EXPERIENCE:

Summit Carbon Solutions (SCS), Ames IA (05/23 – Present)

Sr. Director of Health, Safety, Security and Environmental

Accountable for providing HSSE strategy for the Midwest Carbon Express project. I lead a team of HSSE professionals to drive excellence into our occupational health, safety, security, and operational environmental management systems and to support the core values of Summit Carbon Solutions. Also, in the role, I lead the HSSE regulatory engagement including state permitting, Tribal Outreach, and PHMSA through industry advisory groups. Lastly, I am responsible for delivering HSSE results by reducing risk through regulatory compliance initiatives and best practices.

BP Angola (01/19 – 01/23)

Azule Energy (IJV) HSE & Carbon Local Transition Manager – 01/22 – 01/23

In addition to my Region HSE&C Manager role, lead the local transition of HSE&C programs, policies, procedures, and tools to Azule Energy. This includes harmonization of all policies and procedures, developing the health and medical model, procuring and implementing HSE tools (risk, incident and action mgmt., environmental, compliance, and CCM/ER), and gap assessing and transitioning to IOGP industry standards (OMS, Lifesaving Rules, and Process Safety Fundamentals). Liase with the central BP TMO and the local ENI HSE Manager to develop Day 1, 100 Day, and End State harmonization plans.

HSE & Carbon Manager – 01/19 – 08/22

Responsible for managing and setting the strategic HSE direction for Production and the Region. I lead a team of HSE, CCM/ER and regulatory compliance professionals to establish and implement programs that support the Line to deliver safe, reliable and compliant operations. The role contributes to the strategic development of the Global Production and Region Safety culture by developing supporting programs to drive safety leadership behaviors, so the business is informed and focused on managing risk and therefore safety. Also, in this international assignment, a large part of my role is developing the capability of the HSE workforce to nationalize key positions such as the Lead Investigator and the HSE Manager. The HSE Team was a large contributor to winning the first Carbon Helios award in 2019 for SER and flaring reductions, achieving ISO 14001 Attestation, and was the only company in Angola and region within BP to have 0 COVID 19 cases offshore.

BPX Alaska (03/10 – 01/19)

Director – Health and Safety (11/11 – 01/19)

Responsibilities: As the Director of Health & Safety (H&S), I lead a team of 100+ deeply skilled H&S professionals supporting GOO, GWO, and GPO across the Alaska Region. This includes health, industrial hygiene, medical, and all aspects of safety. In this role, and as the Technical Authority for H&S, I provide leadership and direction to the BPXA Regional Leadership Team to improve performance through programs and processes that strengthen operational barriers. I have efficiently managed a \$20M budget while leading the H&S discipline in the region, representing Alaska in the Global H&S network, developing our H&S professionals, and representing BP in the regional safety community.

HSE Team Lead – Alaska Projects (3/10 – 11/11)

Responsibilities: As HSE Team Lead, I lead a team of 20+ HSE Advisors covering a projects portfolio in Anchorage and on the North Slope of Alaska totaling approximately \$700M. In this role, I provide leadership and direction to the Alaska Projects leadership team regarding health, safety, and environmental requirements, as well as technical support to the individual project teams from Appraise through Execute. A key part of this role is aligning with the Global Projects Organization for consistency in project HSE reporting, trending, and delivery. In addition to the responsibilities, I have been performing the role of HSE manager in support of the Liberty Project and the S&OR SPOC for the 3-year, 150M seismic program.

BPX Alaska Midstream Oil & Gas (2/09- 3/10)

Denali Project - HSE Manager (2/09 – 3/10)

Responsibilities: As part of the Technical Services group, I developed the HSE strategy for the Denali Project. The Denali project is estimated at approximately \$30B and includes a 2,000-mile pipeline from Alaska to Alberta, Canada, and a Gas Treatment Plant on the North Slope. In this role, I collaborated with owner company's BP and CoP to develop and implement a Denali

HSE Management System, provided the independent HSE assurances to Denali, and its owners, that the appropriate HSE processes and practices were being employed, and established the HSE requirements and cost estimates for Phases 2 through 5 of the project.

BP US Pipelines & Logistics, Warrenville, Illinois (4/01-2/09)

Program Execution Manager (10/07 – 2/09)

Responsibilities: Lead a team of project engineers and managers to deliver a \$60 M portfolio of Integrity Management projects that were generated through Business Unit wide integrity programs. I was the Single Point of Accountability (SPA) for coordinating the execution of the portfolio of projects with the Program Managers and coordinating activities across all integrity programs to ensure optimal utilization of resources.

Operations Project Coordinator (6/06 – 10/07)

Responsibilities: My primary role was operations representative to the project teams working on GoM Pipeline Projects. I had the accountability to see that operations input in the FEL stages of the projects were solicited and included in the design, and that communications channels to the operations in Houma and Pascagoula were efficient. I was the primary operations contact for Appraise through Define Stages and the focal point for the handover to the field after construction and during commissioning operations.

Core Team Leader (Operations & Maintenance Supervisor) (1/05-6/06)

Responsibilities: As Core Team Leader, I had overall responsibility for the High Island Pipeline System (HIPS) in Texas City, TX. The HIPS is an offshore pipeline gathering system which carries crude oil from 28 offshore platforms to Texas City for delivery to 3 locations and has its own operations control center. I was responsible for 11 employees including operations and maintenance personnel, a financial analyst, and an administrative assistant. Another area of responsibility was the effective management of the pipeline system. This included asset level performance management, capital productivity, and financial / operation objectives. I managed an operations, maintenance, and projects budget of approximately \$7 M.

Sr. Safety and Security Coordinator (4/01 – 12/04)

Responsibilities: My primary objectives as the Sr. Safety and Security Coordinator for the Pipelines (North America) Business Unit (PLBU) were to lead the BU safety practices and act as a key advocate to the Pipelines NA Leadership Team in the development and implementation of safety inputs and gHSEr. Responsibilities included serving as the Business Security Representative (BSR), promoting the Target Zero concept, developing, and implementing BU HSE policies, procedures, and training, communicating the safety message to the organization, managing incidents, and personally developing my leadership skills.

Meade Electric Company, Inc., Rockdale, Illinois (5/94 – 4/01)

Safety Director (6/00-4/01)

Responsibilities: As the Safety and Health member of the company leadership team, I was responsible for the development and implementation of the company safety and health program. Additional responsibilities included the supervision of 4 full-time Division Safety Directors, assuring regulatory compliance, and managing Workman's Compensation Injury and Illness cases.

Division Safety Director (5/94-6/00)

Responsibilities: Development, implementation, and monitoring of safety policies and procedures for 300+ electricians working in approximately 15 different oil refineries, chemical plants, and commercial construction settings. Additional responsibilities included the supervision of 3 full-time project safety coordinators, developing project safety plans, and monitoring the safety budget for the division.

CERTIFICATIONS & PROFESSIONAL MEMBERSHIPS:

Certified Safety Professional by the Board of Certified Safety Professional (7/02)
American Society of Safety Professionals (08/90 – Present)

TRAINING & DEVELOPMENT:

BP Operations Academy (MIT Executive Program) - Cadre 11 (06/13)
BP Your Leadership Our Future (YLOF) (05/2018)
YLOF for TL's – Senior Level Leader Facilitator (02/2020)
BP ASSET Training (11/10)
Projects & Engineering - The BP Way (11/08)
IPA Project Front End Loading Workshop 5/07
BP First Level Leader Training (2-day & 4-day course) (6/05)
Facility / Corporate Security Officer, 12/03
Mutual Response Team member (2001 - 2017)
Alaska and Angola BST Duty Officer

COMMITTEE WORK:

API Executive and Safety Committee 2023 – Present)
Veterans Business Resource Group Lead (2017 - 2018)
University of Alaska Anchorage OSH Executive Advisory Board - Member and Chair - (2011 - 2018)
API Safety Managers Committee (2001-2004)

AWARDS:

Commended BP Helios Award (06/04) - Received a Performance Driven Commended Helios Award for the security program developed and implemented for BP Pipelines North America after the 9/11 Attacks in the US. Name of the entry - 10,000-mile security program.

ATTACHMENT B

Texas A&M Training

ExxonMobil | Pipeline | Denbury | TEEEX

HazMat Liquid & CO₂ Pipeline and Industrial Fire Emergencies Training



The HazMat Liquid & CO₂ Pipeline and Industrial Fire Emergencies training is presented in partnership with ExxonMobil for the purpose of training firefighters and emergency response personnel who may respond to ExxonMobil assets.

Course Information

This two-part course features an industry-first module on CO₂ releases and provides advanced, hands-on and companion classroom simulations focused on responding to multiple types of pipeline incidents. The training further prepares firefighters along pipelines and near facilities to respond to industrial-type emergencies.

- **Fees:** The course fees will be paid for by ExxonMobil and include tuition, lodging for night of arrival and first night of class, breakfast, lunch and dinner for class participants on both class days. The student will be responsible for travel costs and any additional lodging needed.
- **Course Requirements:** Student is required to bring NFPA 1771 compliant structural bunker gear and follow all rules found in the Student Safety Handbook at [TEEX.org/FireSafety](https://www.teex.org/FireSafety). No shorts, sleeveless shirts or open-toed shoes are allowed in class or field activities. All participants should complete NASFM's Hazardous Materials Technician course found at nasfm-training.org/pipeline

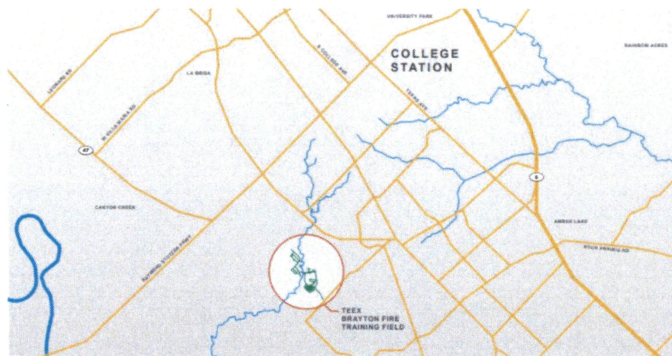
Course Overview

Day 1: The pipeline awareness and operations custom class will cover liquid and CO₂ pipeline operations and simulated release response, vapor dispersion, damming and diking exercises. Terminology, pipeline equipment, pipeline operations and the unique hazards of pipeline transportation will also be included, along with live hands-on drills and scenarios.

Day 2: The live fire training in industrial emergencies for municipal-based responders custom class focuses on responding to and controlling CO₂ releases, tank and facility containment and control, gas and liquid-fueled fires, and tactical response plan deployment. This class is designed to teach how to properly handle, either defensively or offensively, an industrial emergency incident with the resources provided.

Questions?

TEEX Emergency Services Training Institute
866-878-8900 | esti@teex.tamu.edu



2024 Training Dates

February 24-25, 2024



[teex.link/
ExxonMobilFEB2024](https://teex.link/ExxonMobilFEB2024)

April 20-21, 2024



[teex.link/
ExxonMobilAPR2024](https://teex.link/ExxonMobilAPR2024)

September 14-15, 2024



[teex.link/
ExxonMobilSEP2024](https://teex.link/ExxonMobilSEP2024)

November 9-10, 2024



[teex.link/
ExxonMobilNOV2024](https://teex.link/ExxonMobilNOV2024)



HazMat Pipeline
Course Video:

bit.ly/44slCih

