

September 30, 2024

**VIA U.S. MAIL**

Mr. Steve Kahl  
Executive Secretary Director  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**RE: Case No. PU-22-391  
SCS Carbon Transport LLC  
Midwest Carbon Express Project**

Dear Mr. Kahl:

Enclosed herewith, please find the following documents for filing with the North Dakota Public Service Commission ("Commission") in the above-referenced case:


1. North Dakota Dust Control Plan (Revised); and
2. Certificate of Service.

The revised North Dakota Dust Control Plan is being filed at the request of Commission staff and in response to concerns raised at the September 16, 2024 work session of the Commission.

An original and seven (7) copies of this letter and the above-referenced documents are enclosed herewith. This letter and the above-described documents have been electronically filed with the Commission by e-mailing copies of the same to [ndpsc@nd.gov](mailto:ndpsc@nd.gov).

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/tjg  
#83994921v1

cc: SCS Carbon Transport LLC



## North Dakota Dust Control Plan

**Project Name:**

Summit Carbon Solutions Midwest Carbon Express

**Document Number:**

SCS-0700-ENV-01-PLN-031

**Date:**

October 17, 2022

REVISION HISTORY

DATE	REVISION	REVISION DESCRIPTION	PREPARED BY:	REVIEWED BY:	APPROVED BY:
10-17-2022	0	Prepare final plan	GY	JS	JZ
09-25-2024	1	Incorporate ND PSC clarification	CR	JS	JZ

## Acronyms and Abbreviations

BMP	Best Management Practices
CO <sub>2</sub>	Carbon Dioxide
EI	Environmental Inspector
NDAC	North Dakota Admin Code
NDDEQ	North Dakota Department of Environmental Quality
Plan	North Dakota Dust Control Plan
PM	Particulate Matter
PM <sub>2.5</sub>	PM nominal aerodynamic diameter of 2.5 micrometers or less
PM <sub>10</sub>	PM nominal aerodynamic diameter of 10 micrometers or less
Project	Midwest Carbon Express Project
SCS	Summit Carbon Solutions, LLC

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## 1 Introduction

Summit Carbon Solutions, LLC (SCS) proposes to construct the Midwest Carbon Express Project (Project). The Project, as proposed, includes approximately 2,000 miles of pipeline for the transportation of carbon dioxide (CO<sub>2</sub>) from industrial facilities across five states (Iowa, Minnesota, Nebraska, North Dakota, and South Dakota) to underground injection control facilities in North Dakota for safe and permanent sequestration. The portion of the Project that will be constructed in North Dakota under Public Service Commission jurisdiction will be comprised of approximately 333 miles of pipeline and will cross through Burleigh, Cass, Dickey, Emmons, Logan, McIntosh, Morton, Oliver, Richland, and Sargent counties in addition to associated access roads and surface facilities. The Project in North Dakota is located almost exclusively within rural agricultural areas, limiting the potential for dust-related exposure to non-residential open areas.

This document and its appendices comprise SCS' Dust Control Plan (Plan) for Project construction in North Dakota. This Plan has been prepared to provide best management practices (BMP) that Contractors will employ to control dust to acceptable levels when Project work in North Dakota approaches dwellings, buildings, public roadways, hay production land, livestock grazing land, crop land, and other areas occupied by people or livestock.

## 2 Regulatory Overview

### 2.1 Nonattainment and Maintenance Areas

The Project within North Dakota does not cross any counties currently designated as "Nonattainment" or "Maintenance" by the most recent NAAQS review (2022) which include particulate matter (i.e., PM<sub>10</sub> and PM<sub>2.5</sub> levels).

### 2.2 State of North Dakota Regulations

Fugitive particulate emissions are managed by the North Dakota Department of Environmental Quality (NDDEQ), as listed under the North Dakota Administrative Code (NDAC) Title 33.1, Article 15 Air Pollution Control: Chapters 03 Restriction of Emission of Visible Air Contaminants; Chapter 05 Emissions of Particulate Matter Restricted; and 33.1-15-17 Chapter 17 Restriction of Fugitive Emissions., Sections 33.1-15-17-01 through 33.1-15-17-04.

No planned Project construction activity in North Dakota will emit discharges that violate these requirements.

Abatement and preventive measures for unpaved roads and unpaved parking areas may include watering, use of dust palliatives, speed control, or other means of equal or greater effectiveness in reducing dust generated during construction.

### 2.3 North Dakota Project-Specific Commitments

Dust control is used to help mitigate the effects of wind erosion and fugitive dust emissions during construction. Fugitive dust is especially a concern on the right-of-way (ROW) near residential areas, farm dwellings, roads, or when dry and strong wind conditions are present. The ground may be sprayed by watering trucks or sprinklers to control the dust after vegetation is removed from the ROW. Water will not be applied in quantities to cause run off from the ROW.

The Contractor will take appropriate precautions to prevent fugitive emissions caused by sand blasting from reaching any residence or public building. Curtains of suitable material will be placed, if necessary, to prevent wind-blown particles from sand blasting operations reaching residences, roads, or public buildings.

Contractors will comply with all dust control commitments.

## 3 Best Management Practices

Implementation of construction and restoration BMPs will be used to mitigate fugitive dust emissions. SCS will also implement operational controls, including the use of a reduced speed limit on unpaved access roads and sweeping or vacuuming paved roadways when Project-related soils are tracked out onto paved surfaces.

Wet suppression, using water, is the predominate method of suppressing fugitive dust on unpaved roads, exposed construction areas, and gravel pads as it causes finer materials to adhere into larger particles. The amount of water required to sufficiently control fugitive dust emissions is dependent on the characteristics of materials (e.g., surface moisture content), ambient conditions (e.g., rainfall, humidity, temperature), activities occurring in the area (e.g., vehicle traffic, weight, speeds), etc. The contractors will have water trucks available in each spread that will load water from approved permitted sources to spray areas for dust control. Disturbed and trafficable areas will be kept sufficiently damp during working hours in dry conditions to minimize wind-blown or traffic-generated dust emissions. Areas to be watered include, but are not limited to, the following:

- the construction corridor for each pipeline, including additional temporary workspace
- access roads
- aboveground facility sites
- active grading areas
- unstabilized areas
- soil stockpiles pending stabilization
- parking areas
- unpaved county roads near occupied dwellings and at locations where use of such roads is reasonably expected to have an adverse impact to nearby hay production land, livestock, livestock grazing land, or actively growing crops

The frequency at which water trucks will spray construction areas will vary based on weather and site conditions. More frequent applications may be required in dry conditions and where dust generation is likely.

The construction contractor may propose the use of tackifiers to reduce fugitive dust from spoil piles provided that the product to be utilized has been approved by SCS as well as where its application will occur. The construction contractor will detail the proposed use of any such substances in its dust control plan and provide copies of the Safety Data Sheets and application procedures.

## 4 Monitoring

Environmental Inspectors (EI) will have primary responsibility for monitoring and enforcing the implementation of dust control measures by the construction contractor. The inspectors will also be responsible for ensuring that these measures are effective and proper documentation is maintained. When environmental conditions are dry, inspection of dust control measures will be conducted daily, and the EI will be responsible for recording the following information daily:

- Weather conditions, including temperature, wind speed, and wind direction;
- Number of water trucks in use;
- Incidents where dust concentration is such that special abatement measures must be implemented;
- Condition of soils (damp, crusted, unstable, other) on the right-of-way and other construction sites;
- Condition of soils (damp, crusted, unstable, other) on access roads;
- Condition of track-out pads; and
- Overall status of dust control compliance

- Condition of unpaved county roads near occupied dwellings and at locations where use of such roads is reasonably expected to have an adverse impact to nearby hay production land, livestock, livestock grazing land, or actively growing crops.

This information will be incorporated into the EI daily report.

The need for fugitive dust abatement measures will be addressed on a location-by-location basis during periods when wind erosion and dust generation are either occurring or likely to occur. The EI will coordinate with the Contractor on the dust control methods that best accommodate specific site and weather conditions, including the identification of any sensitive receptors in the area (e.g., children, elderly, infirm) that warrant additional precautions.



**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**SCS Carbon Transport LLC  
Midwest Carbon Express CO2 Project  
Sitting Application**

**CASE NO. PU-22-391**

**CERTIFICATE OF SERVICE**

I, the undersigned, being of legal age, hereby certify that a true and correct copy of the following:

1. Letter to S. Kahl forwarding documents for filing; and
2. North Dakota Dust Control Plan (Revised).

were, on September 30, 2024, filed with the North Dakota Public Service Commission and served electronically to the following:

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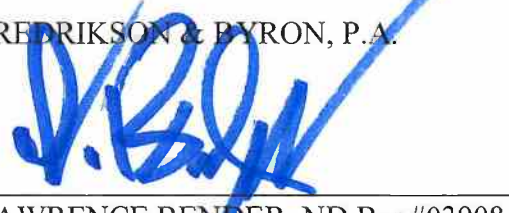
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Dated this 30th day of September, 2024.

FREDRIKSON & BYRON, P.A.



By: \_\_\_\_\_

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