



**FEDERAL ENERGY REGULATORY COMMISSION**  
**ENVIRONMENTAL COMPLIANCE MONITORING PROGRAM**  
WEEKLY SUMMARY REPORT NO. 9  
**NORTH BAKKEN EXPANSION PROJECT**  
**DOCKET NOS.: CP 20-52-000 AND CP 20-52-001**  
FOR THE PERIOD: SEPTEMBER 26 THROUGH OCTOBER 2, 2021

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On June 1, 2021, the Federal Energy Regulatory Commission (FERC) published an Order Issuing Certificate (Certificate) to WBI Energy Transmission, Inc. (WBI) to construct and operate pipeline and ancillary facilities in Burke, McKenzie, Mountrail, and Williams Counties, North Dakota for the North Bakken Expansion Project (Project).

WBI agreed to fund an Environmental Compliance Monitoring Program during construction of the Project. This report provides a summary of the FERC Compliance Monitors' construction review for this reporting period. The Compliance Monitors are responsible for reviewing WBI's construction activities and documenting compliance with the FERC Certificate.

During this reporting period, the Compliance Monitors issued twenty-four (24) Daily Monitoring Reports consisting of eighteen (18) Acceptable Reports and six (6) Communication Reports. No Noncompliance or Problem Area Reports were issued during this reporting period. One (1) Level 1 and three (3) Level 2 variance requests were approved for the Project during this reporting period. A tabular summary of the daily compliance reports and approved variances are presented below.

<b>SUMMARY OF COMPLIANCE MONITOR REPORTS AND APPROVED VARIANCES FOR THE NORTH BAKKEN EXPANSION PROJECT</b>		
Compliance Level	Number of Reports and Variances for this Reporting Period	Cumulative Number of Reports and Variances
Acceptable	18	148
Communication	6	45
Problem Area	0	0
Noncompliance	0	0
Serious Violation	0	0
Approved Level 1 Variances	1	2
Approved Level 2 Variances	3	32
<b>Total Reports and Variances</b>	<b>28</b>	<b>227</b>

During this reporting period, two full-time Compliance Monitors conducted inspections documenting compliance with the Project's environmental requirements along the Project's right-of-way. The Compliance Monitors coordinated with WBI's Environmental Inspectors (EIs) this week to inspect and discuss issues, planned and ongoing construction activities, review areas subject to variance requests, and clarify interpretations of the Project requirements. The activities of the Compliance Monitors were directed by the Compliance Manager, who coordinated with FERC staff as well as with WBI's field management and support staff.



## SUMMARY OF ACTIVITIES

Project components are listed below along with a summary of the Compliance Monitors' inspection activities during this reporting period, as applicable:

- *Elkhorn Creek Compressor Station – no monitoring activity;*
- *Line Section 25 Loop [Milepost (MP) 0 – 20.3] – no monitoring activity;*
- *Line Section 30 Loop (MP 0 – 9.6) – landowner concern regarding excess rock left on the property after restoration and clean-up activities were complete; removal of excess rock and reconditioning of parcel per landowner request;*
- *Tioga Compressor Lateral (MP 0 – 0.5) – no monitoring activity;*
- *Tioga Compressor Station – no monitoring activity;*
- *Tioga to Elkhorn Creek Pipeline Spread 1- North Spread (MP 0 – 23.0) – pipeline installation; tie-ins; variance request reviews; clean-up of construction debris; restoration of contours and topsoil to pre-construction conditions; installation of concrete supports for new block valve;*
- *Tioga to Elkhorn Creek Pipeline Spread 2 – South Spread (MP 23.0 – 62.8) – right-of-way graded; topsoil stored at the limits of disturbance; pipe strung and stacked on skids in preparation for welding activities; lowering-in and backfilling activities; reinforcement of erosion controls (installation of berms) due to livestock impacts to silt fencing; variance request review;*
- *Tioga Plant Receipt Station – installation of meter buildings and aboveground pipe and operating instruments; continued installation of pre-fabricated buildings; installation of new launcher station; testing mechanical parts of the receiver and valve settings;*
- *Section 25 Uprates Pipeline (MP 0.0 to 0.5) – no monitoring activity;*
- *Norse Transfer Station – no monitoring activity;*
- *Robinson Lake Plant Receipt Station – no monitoring activity;*
- *Springbrook Station – no monitoring activity;*
- *Lignite Plant and Border Stations – continued installation of new pipe and operating devices; excavations for the installation of the new launcher and receiver; disposal of contaminated soil encountered during excavation; importing of additional soil for backfill and the restoration of finish grade;*
- *Elkhorn to Northern Border Interconnect Pipeline (MP 0 – 0.3) – no monitoring activity;*
- *Williston-Tioga-Minot Re-route (MP 0 – 0.2) – no monitoring activity;*



- *Norse Plant Receipt Station – backfill and rough clean-up of the right-of-way; continued installation of the new launcher and receiver inside the limits of the Norse Plant;*
- *Lake Sakakawea Horizontal Directional Drill (HDD) North – no monitoring activity;*
- *Lake Sakakawea HDD South – no monitoring activity;*
- *Temple Valve Tract – no monitoring activity; and*
- *Northern Border Interconnect – electrical buildings installation; hot tap is complete; pipe has been installed; welded; sandblasted and coated.*



**COMMUNICATION REPORTS**

Communication reports provide documentation of relevant meetings between the FERC Compliance Monitor and landowners, agency staff, Project representatives, EIs, and others. The four (4) communication reports below present compliance-related information for keeping this weekly summary report relevant to current Project activities. Two (2) communication reports detailing variance request reviews were issued during this reporting period and are not included below.

<b>SUMMARY OF COMMUNICATION REPORTS FOR THE NORTH BAKKEN EXPANSION PROJECT</b>				
<b>Compliance Level/Report Number</b>	<b>Date Issued</b>	<b>Location (Spread/ Facility/ Milepost [MP]/ County/State)</b>	<b>Follow-up Required (Yes or No)</b>	<b>Description</b>
LineSection 30 Loop_27Sep2021_HT1	9/27/2021	Line Section 30 Loop MP 1.7 to MP 2.2	No	The Compliance Monitor conducted an Inspection of a parcel on the Line Section 30 Loop, in regards to a landowner concern reporting excess rock on the property after clean-up had been completed. After attempting to plow the areas utilized during construction, the landowner reported to the WBI land agent that there was excess rock throughout his parcel. The land use appeared to be cultivation of peas. The Compliance Monitor inspected the parcel and rocks were observed frequently across the entire right-of-way. The adjacent hay fields, east and west of this segment, had been plowed and rocks were not visible on either adjacent parcel. The Spread 1 Lead EI confirmed acknowledgment of the landowner concern and indicated that WBI had directed its contractor to perform additional rock removal activity to address the situation. Note: The Compliance Monitor returned to this site on September 29 and confirmed that additional rocks were removed in an acceptable manner.
TiogaElkhorn Cr PL Spread 2_27Sep2021_VH1	9/27/2021	Tioga Elkhorn Cr PL Spread 2 MP 58.1	No	The Compliance Monitor conducted a routine inspection at MP 58.1, where the right-of-way was graded and the topsoil was stored at the limits of disturbance. Pipe was stacked in preparation for welding activities and erosion control devices were installed. The Compliance Monitor observed that the silt fence was down in this area. There was no sign of sediment migration beyond the limits of disturbance. The Compliance Monitor contacted the Lead EI and advised him of the issue. The Lead EI alerted the contractor's environmental crew, who came out immediately and re-installed the silt fence. With this repair, all observations of activity were within the limits of disturbance and in compliance with the Project's plans.
TiogaElkhornCr PL Spread 1_30Sep2021_HT1	9/30/2021	Tioga-Elkhorn Cr PL Spread 1 MP 11.6	No	The Compliance Monitor was informed of a WBI-issued problem area report for dewatering silted water on the right-of-way, which flowed onto an adjacent hay field near MP 11.6. The Spread 1 Lead EI issued a WBI problem area report for the incidental discharge of silted water. The silt was collected with a hydro-vacuum truck after crews completed locating existing underground lines, prior to the start of bore activities at the crossing of 60th Street NW (MP 12.3). The water that was discharged on the right-of-way



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				flowed onto an adjacent hay field and percolated into the ground. The water did not reach any streams, wetlands, or other sensitive resources. The subcontractor's locator crews were called in by the Lead EI for re-training and awareness of such activities. They have been instructed again to follow all plans and procedures, mitigation measures, and implementation plans for the remainder of the Project. These crews may move to Spread 2 where activities are currently at the peak part of construction.
TiogaElkhorn Cr PL Spread 2_02Oct2021_VH1	10/2/2021	Tioga Elkhorn Cr PL Spread 2 MP 28.9 to MP 29.2	No	The Compliance Monitor conducted a routine inspection from MP 28.9 to MP 29.2, where boring activities are taking place under stream s-mk-wa-001. The bore machine and components were set up at a bore pad. A mud pit with a subsoil berm was excavated at the shaker machine. Erosion control devices were installed around the bore pad. There was an inadvertent release (IR) on September 28, 2021 when an unrecorded amount of mud came to the surface. Erosion control devices were installed. The IR occurred approximately 50 feet from the stream, but migrated downhill toward the stream. It does not appear that the IR material entered the stream. The IR was cleaned up and erosion control devices were left in place. Two holes, one approximately 6-inches x 8-inches and the other approximately 4 inches x 12 inches, were observed in the silt fence at the south end of the site bore pad. The Compliance Monitor reported these holes to the Lead EI who advised that the damaged erosion control device would be reported to the contractor to be repaired. This communication was late in the evening; therefore, the contractor will likely have to make these repairs on the next working day (October 4). The Compliance Monitor and Lead EI also discussed the use of text and email communications, if cellular telephone communications are limited.



## **PROBLEM AREA AND NONCOMPLIANCE REPORTS**

Problem area reports record an observation where an area or activity does not meet the definition of acceptable, but is not considered a noncompliance.

Noncompliance reports record an observation where an area or activity that violates (is not in compliance with) the Project specifications, results in damage to resources, or places sensitive resources at unnecessary risk.

The Compliance Monitors issued no problem area or noncompliance reports during this period.



**SUMMARY OF LEVEL 1 AND LEVEL 2 VARIANCE REQUESTS**

One (1) Level 1 and three (3) Level 2 variance requests were approved for the Project during this reporting period.

SUMMARY OF APPROVED VARIANCES FOR THE NORTH BAKKEN EXPANSION PROJECT					
Variance Number	Variance Level <sup>a</sup>	Date Received	Location (Spread or Facility/ Milepost [MP]/ County/State)	Description	Status (Approval Date)
L2-V53-DM	2	9/24/2021	Tioga to Elkhorn Creek South MP 32.8 to MP 33.0	WBI requested an after-the-fact approval of a variance to change the crossing method from open-cut to a cradle bore south of Highway 1806 West near milepost 32.9. WBI's contractor completed the bore crossing prior to WBI receiving FERC approval. The bore crossing was completed within the existing certificated workspace. No sensitive resources were affected. The method change was facilitated by landowner request to avoid saline soil from being brought to the surface during the open-cut crossing. The Lead EI issued a noncompliance for the unauthorized method change on September 8, 2021. WBI improved their communication and variance processes with the contractors moving forward.	9/27/2021
L2-V58-DM	2	9/24/2021	Tioga to Elkhorn Creek South MP 36.3 to MP 36.4	WBI requested to increase the length and depth of the planned bore of Tobacco Garden Creek (Porcupine Coulee). The bore length was increased by approximately 308 feet and the depth was increased from approximately 5 feet to 11 feet. WBI requested 0.75 acre of additional temporary workspace (ATWS) on the west side of the right-of-way between MP 36.3 and 36.4 for the pipe pullback section for the guided bore. The ATWS did not affect any environmentally sensitive resources and no surveys were required.	9/27/2021
L1-V61-HT	1	9/28/2021	Tioga to Elkhorn Creek North MP 19.75 to MP 19.85	WBI requested to modify the bore at Hwy 1804 / 110th Avenue to facilitate installation around foreign hotlines. WBI requested to increase the bore depth by 10 feet and to add 90 feet of bore length. No additional workspace was requested and no sensitive resources were affected.	9/29/2021
L2-V56-DM	2	9/28/2021	Tioga to Elkhorn Creek Tioga to Elkhorn Creek South MP 26.6 to MP 26.7	WBI requested an after-the-fact variance for accessing 0.1 acre to restore an area where topsoil was inadvertently stripped outside of the approved limits of disturbance. WBI's Lead EI issued a noncompliance report on September 3, 2021 for the unauthorized activity. The unauthorized activity occurred because construction crews began work before survey crews re-staked the new limits of disturbance following the approval of variance V44. No sensitive resources were affected and the area was within the survey corridor. The contractor was re-trained and the communication protocols were improved.	9/29/2021



**SUMMARY OF APPROVED VARIANCES FOR THE NORTH BAKKEN EXPANSION PROJECT**

Variance Number	Variance Level <sup>a</sup>	Date Received	Location (Spread or Facility/ Milepost [MP]/ County/State)	Description	Status (Approval Date)
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<sup>a</sup> Variance Level Definitions

Level 1 Variance – reviewed and approved or denied by the Compliance Monitors. These requests must be within the approved workspace or of like use and are for site-specific, minor, performance-based changes to Project specifications or mitigation measures that provide equal or better protection to environmental resources.

Level 2 Variance – reviewed and approved or denied by the Compliance Manager. These requests involve Project changes that would affect an area outside of the previously approved work area, but within the corridor previously surveyed for cultural resources, sensitive species, sensitive resources, etc.





**SELECTED PHOTOGRAPHS OF OBSERVED ACTIVITIES**



Silt fence down on the east side of the right-of-way (September 27, 2021) – Communication – MP 58.1



Line Section 30 Loop – Rocks scattered throughout the parcel (September 27, 2021) – Communication – MP 2.0



Tioga Elkhorn Creek PL Spread 1 – Restored waterbody s-wm-ee-001 after installation across the channel (September 28, 2021) – Acceptable – MP 12.3

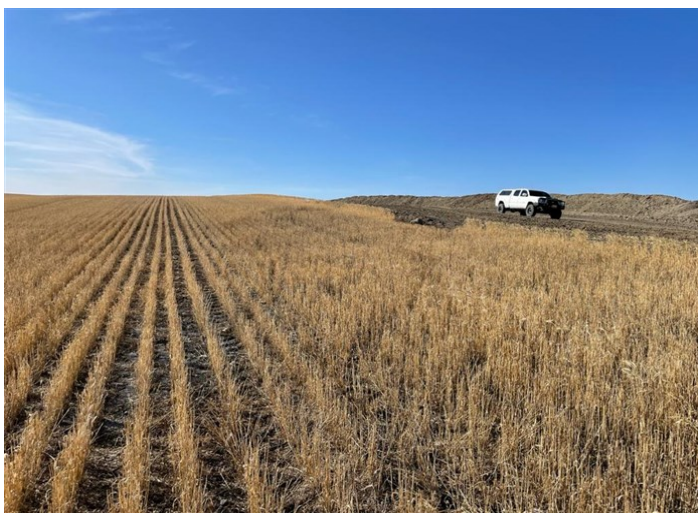


Tioga Elkhorn Creek PL Spread 2 – Small engine inside secondary containment used to pump groundwater from the open ditch (September 28, 2021) – Acceptable – MP 30.8



Line Section 30 Loop – Additional rock removed and reconditioning of the parcel as requested by the landowner (September 29, 2021) – Acceptable – MP 2.2

Tioga Elkhorn Creek PL Spread 2 – The right-of-way was graded and topsoil stored on the western side of the limits of disturbance. Pipe stored and strung on skids (September 29, 2021) – Acceptable – MP 53.4



Tioga Elkhorn Creek PL Spread 1 – Hay field adjacent to the construction right-of-way where silted water was released and percolated into the ground (September 30, 2021) – Communication – MP 11.6

Tioga Plant Receipt Station – Ongoing installation of meter building and meter run piping (September 30, 2021) – Acceptable – MP 0.0



Tioga Elkhorn Creek PL Spread 1 – Bore installation is complete under 60<sup>th</sup> Street NW and tie-in to mainline is underway (October 1, 2021) – Acceptable – MP 12.2



Tioga Elkhorn Creek PL Spread 2 – Mat bridge with associated erosion control devices installed crossing stream s-mk-eb-001 (October 1, 2021) – Acceptable – MP 27.1



Lignite Plan Receipt and Town Border Station – Ongoing installation of the new facility meter building and piping (October 2, 2021) – Acceptable – MP 0.0



Northern Border Interconnect – Bell hole excavated and pipe installed, welded, sandblasted, and painted at the meter station (October 2, 2021) – Acceptable – MP 0.3



Tioga Elkhorn Creek PL Spread 1 – Concrete supports for the new 56<sup>th</sup> Street NW block valve (October 2, 2021) – Acceptable – MP 16.2

Tioga Elkhorn Creek PL Spread 2 – Looking inside the containment where the inadvertent release occurred (October 2, 2021) – Communication – MP 29.0