



File Copy
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 4, 2009

Brett Koenecke
May, Adam, Gerdes & Thompson LLP
503 South Pierre Street
PO Box 160
Pierre, SD 57501

Subject: Transcanada / Keystone Emergency Response Plan

Dear Mr. Koenecke,

Pursuant to South Dakota Codified Law 34A-18-2, the department is reviewing TransCanada / Keystone's Emergency Response Plan. In order to complete the review, the department requires the submittal of the following information:

- SDCL 34A-18-2 (3) states the plan must include the name, address and telephone number of the oil spill response organization. The mailing address for the oil spill response organization, National Response Corporation, was not readily identifiable in the plan. Please submit a page insert identifying the appropriate mailing address for National Response Corporation for inclusion in Section 2.0 of the final plan.
- In accordance with SDCL 34A-18-7, the department should be included in the list of agencies to be notified of plan modifications as described in Section 1.4, under the sub-heading "*Agency Revision Requirements*". Please make this change and submit a replacement page for inclusion in the final plan.
- Please submit a replacement page for page 11 in Appendix B with the correct valve milepost location for the worst-case discharge. The department understands the correct valve location is Valve MP 432.4 not Valve MP 4324.
- Although the plan provides substantial information about response activities and resources, the information is not South Dakota specific. To help the department understand Transcanada's response capabilities specific to South Dakota please submit a supplement to the plan containing the following information: description and location of company owned response equipment in South Dakota, description and location of the oil spill response organization's response resources in South Dakota including South Dakota based sub-contractors if applicable, and a description of anticipated spill response times for spills in South Dakota.

If you have any questions or comments concerning this letter, please feel free to contact me at 605.773.3296 or Brian.Walsh@state.sd.us.

Sincerely,

Brian J. Walsh
Hydrology Specialist
Ground Water Quality Program