

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE APPLICATION	:	HP 14-001
BY TRANSCANADA KEYSTONE		
PIPELINE, LP FOR A PERMIT UNDER	:	TRANSCANADA KEYSTONE
THE SOUTH DAKOTA ENERGY	:	PIPELINE, LP'S RESPONSES TO
CONVERSION AND TRANSMISSION	:	CINDY MYERS' SECOND
FACILITIES ACT TO CONSTRUCT THE	:	INTERROGATORIES AND
KEYSTONE XL PROJECT	:	REQUEST FOR PRODUCTION OF
		DOCUMENTS
	:	

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Applicant TransCanada makes the following responses to interrogatories pursuant to SDCL § 15-6-33, and responses to requests for production of documents pursuant to SDCL § 15-6-34(a). These responses are made within the scope of SDCL 15-6-26(e) and shall not be deemed continuing nor be supplemented except as required by that rule. Applicant objects to definitions and directions in answering the discovery requests to the extent that such definitions and directions deviate from the South Dakota Rules of Civil Procedure.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State the name, current address, and telephone number of the person answering these interrogatories.

ANSWER: A number of different people assisted in providing answers to these interrogatories. Keystone previously disclosed the identity of the persons whose prefiled testimony will be provided before the hearing.

2. Re. Condition #36---Does TransCanada have a documented emergency medical response plan for this project?

ANSWER: Not at this time. The current Keystone Pipeline Emergency Response Plan (ERP) will be amended to include Keystone XL Project.

3. Re. Condition #36---Do your drills for cleaning up spills include scouring beds of water bodies for submerged oil?

ANSWER: No, scouring beds of water bodies for submerged oil is a specialized technique performed by an experienced contractor. Based on the assessment of an actual incident this could be one of many techniques implemented. Training and exercises include ICS, table top, deployment and full scale exercises. Our exercise planners are required to invite first responders to full scale exercises which include the development of an incident management team and the simultaneous deployment of equipment resources to proximate a real event. These exercises are conducted in various locations along the pipeline system.

4. Re. Condition #36---What communication has there been from TransCanada to Indian Health Services and South Dakota health care facilities regarding

tar sands oil information, KXL spill scenarios, and staff training for treating victims exposed to tar sands spills?

ANSWER: TransCanada has provided educational information to possible affected public, elected officials, excavators and first responders. This educational material comes in the form of a pamphlet and is titled Oil Pipeline for Emergency Responders. A copy is marked as Keystone 1523-1538.

5. Re. Condition #36---How has TransCanada prepared the South Dakota medical community for spills from this project?

ANSWER: TransCanada has provided educational information to possible affected public, elected officials, excavators and first responders. This educational material comes in the form of a pamphlet and is titled Oil Pipeline for Emergency Responders. A copy is marked as Keystone 1523-1538.

6. Re. Fact #107d---Please further explain and clarify your reply in my first set of interrogatories: "Keystone has not asserted that the project would have 'no impact' on the health, safety and welfare of South Dakota." Does this mean there are potential impacts on the health, safety and welfare of South Dakota residents? What are these potential impacts on the health, safety and welfare of South Dakota residents?

ANSWER: The potential impacts of the Keystone XL project on the health, safety, and welfare of South Dakota residents are addressed in Keystone's permit

application filed in Docket HP09-001, and were addressed by the Commission in the Amended Final Decision and Order dated June 29, 2010.

7. Re. Condition #35---Please explain how the reroute across the High Plains Aquifer in Tripp Co. improved the safety for those depending on that water? Does the reroute still cross the aquifer? Specifically, describe the reroute.

ANSWER: Yes, the route crosses the High Plains Aquifer. Route variations in Tripp County were not due to the aquifer but pertained to landowner and constructability issues. Route variation maps were previously provided.

8. Re. Fact #107e---You try to avoid areas of dense population. Is the reason for this because less number of people at risk? What specifically is your reason for avoiding areas of dense population?

ANSWER: Pipeline routing is an iterative process and takes into consideration numerous aspects: pipeline route length and overall project footprint, public safety, environmental constraints, population density, land-use compatibility, optimization with other industrial infrastructure, constructability limitations and regulatory constraints. Areas of urbanization are avoided to the extent practicable as these locations pose a challenge during construction and operational activities due to work space constraints, congestion and disruption to the public. Avoidance of urbanized and densely populated

areas is also a primary mitigation to the risk of damage to the pipeline due to excavation activities by others.

9. Re. Condition #36---Has TransCanada considered that benzene plumes in flowing water could cause contamination of public water plants?

ANSWER: TransCanada has considered downstream receptors in its analysis per Special Condition 14. Please refer to Department of State SFEIS Appendix P Risk Assessment Section 4.0 Consequences of a Spill.

10. Re. Condition #34---What information has TransCanada provided to residents who live in a high consequence area about the increased risks associated with that designation?

ANSWER: TransCanada's Public Awareness Program is designed to increase awareness of pipeline safety to protect the public, environment and TransCanada facilities. The PA Program reaches out to affected public, excavators/contractors, emergency officials and local and the local public to ensure they are engaged and educated about living and working safely near TransCanada facilities. This includes awareness of areas that have been defined as high consequence areas.

11. Re. Condition #36b---Is the pamphlet titled "Oil Pipeline for Emergency Responders", marked as Keystone the only medical information provided by TransCanada?

ANSWER: TransCanada is not a medical provider and does not provide medical information. The local medical authority has jurisdiction during an incident or emergency.

12. Re. Condition #35---Will TransCanada provide routine analyses of the aquifer water in Tripp County to assure the residents will not be poisoned from those expected/undetected leaks?

ANSWER: In the event of a release, TransCanada will work with the appropriate agencies to complete any required analysis.

13. Re. Condition #36---What education, training, information and/or preparation has TransCanada provided for water treatment plants using water from the Missouri River? What communication has taken place between TransCanada and water treatment systems which use water from the Missouri River?

ANSWER: TransCanada's Public Awareness Program is designed to increase awareness of pipeline safety to protect the public, environment and TransCanada facilities. The PA Program reaches out to affected public, excavators/contractors, emergency officials and local and the local public to ensure they are engaged and educated about living and working safely near TransCanada facilities.

14. Re. Finding of Fact #41---I had previously requested distances between tributaries and their confluence with the Missouri River. You provided a list, but failed

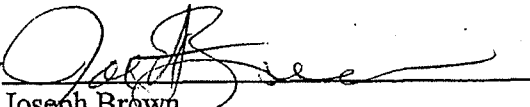
to include the Little Missouri River, Cheyenne River and the White River. I request this information again.

ANSWER: Listed in the table below are the distances from the KXL pipeline crossing of the three waterways requested to the Missouri River.

<u>Stream Name</u>	<u>Miles downstream to Missouri River</u>
Little Missouri River	384.2
Cheyenne River	89.5
White River	82.4

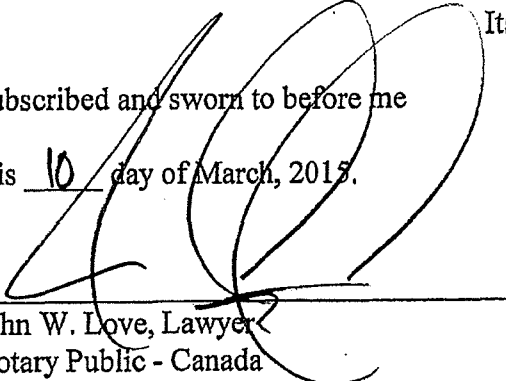
Dated this 10 day of March, 2015.

TRANSCANADA KEYSTONE PIPELINE, LP  
by its agent, TC Oil Pipeline Operations, Inc.

By   
Joseph Brown  
Its Director, Authorized Signatory

Subscribed and sworn to before me

this 10 day of March, 2015.

  
John W. Love, Lawyer  
Notary Public - Canada




OBJECTIONS

The objections stated to Cindy Myers' Interrogatories and Request for Production of Documents were made by James E. Moore, one of the attorneys for Applicant TransCanada herein, for the reasons and upon the grounds stated therein.

Dated this 10<sup>th</sup> day of March, 2015.

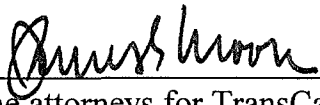
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of March, 2015, I sent by e-mail transmission, a true and correct copy of Keystone's Responses to Cindy Myers' Second Interrogatories and Request for Production of Documents, to the following:

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One of the attorneys for TransCanada