

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE)	HP22-001
APPLICATION BY SCS CARBON)	
TRANSPORT LLC FOR A PERMIT)	CITY OF HARTFORD’S
TO CONSTRUCT A CARBON)	INTERROGATORIES TO SCS
DIOXIDE TRANSMISSION)	CARBON TRANSPORT, LLC
PIPELINE)	
)	

TO: SCS Carbon Transport, LLC

YOU ARE HEREBY REQUESTED to answer the following written interrogatories which are to be answered by you within the time and in the manner required by SDCL § 15-6-33.

These interrogatories are directed to you, but are intended to likewise obtain any information with respect thereto now known by any other agents or representatives you may have in this matter. These interrogatories are to be deemed continuing and if you or said agents or representatives obtain any information with respect to them after making original answers, it is requested that supplemental answers be made.

INTERROGATORY NO. 1: Please state the name, address, contact information and position of each person answering these interrogatories.

ANSWER:

**James Powell, Chief Operating Officer and
Rod Dillon, Director of Regulatory Compliance.
2321 North Loop Drive, Suite 221
Ames, IA 500510
phone: 515-531-2635**

INTERROGATORY NO. 2: In its February 7, 2022 application (Appendix 4) SCS Carbon Transport, LLC (“SCS”) proposed an alternate route for the carbon pipeline which is adjacent to the western boundary of the City of Hartford, Minnehaha County, South Dakota. With respect to the proposed location, please answer the following:

- a. Is the alternate location identified in Appendix 4 to the February 7, 2022 application before the South Dakota Public Utilities Commission the final proposed location for the pipeline?

ANSWER: The alternative route that is identified is located in Appendix 4, Figure 4-6 of the February 7, 2002 permit application and is the “final proposed location.”

- b. Please state any and all reasons that the route of the pipeline changed from the route identified in Appendix 4 to the alternate route which is approximately three miles closer to the City of Hartford and within the anticipated growth area for the City of Hartford.

ANSWER: Section 4.3 of the Application provides the reasoning for the route variance located in Appendix 4, Figure 4-6. It provides the following:

“This route variance is being considered to avoid a USFWS fee land crossing associated with the Voelker I Waterfowl Protection Area in Minnehaha County. The route variance was designed to avoid South Dakota Game Fish and Parks (SDGFP) land associated with Scotts Slough. The route variance also moves the pipeline to property of landowners that are more favorable of the Project. SDM-104 would be routed approximately 2 miles to the east of the proposed route.”

INTERROGATORY NO. 3: Explain in detail the manner in which SCT intends to work with the City of Hartford to accommodate the extension of its utilities and other infrastructure which will be necessary for the continued growth of the City of Hartford to the west of the proposed pipeline. This answer should include a detailed explanation of the manner in which utilities and roadways can be extended to the west of the proposed pipeline route.

ANSWER: SCS does not believe the pipeline will impede growth of the City of Hartford to the west.

SCS will note the pipeline route is outside the existing City of Hartford incorporated limits. Typically, the expansion of a municipality’s borders, or the extension of their infrastructure beyond those borders, is something that is carefully deliberated, planned, and executed. SCS would respectfully request the City of Hartford (or any municipality) include SCS in such discussions as they are contemplated.

In addition, SCS is in the process of developing a damage prevention program in compliance with 49 CFR 195.442 that will be implemented once the project becomes operational. Generally, SCS expects all individuals and businesses conducting subsurface activities to contact the SD OneCall 48-hours prior to beginning such work. Crossing of the SCS pipeline will require hand excavation and the use of hydrovac/potholing equipment. Where a new utility line may parallel SCS’s pipeline, SCS will work with the owner of the new line relative to special construction considerations on a case-by-case basis. SCS reserves the right to have a witness present during subsurface construction activities near or across the SCS pipeline.

INTERROGATORY NO. 4: Does SCT intend to install the necessary facilities to allow for the growth of the City of Hartford to the west of the proposed alternate route for the pipeline and if so, does SCT plan to pay for the necessary infrastructure to accommodate the extension of utilities and roadways to the west of the proposed pipeline route?

ANSWER: See SCS's response to Interrogatory No 3.

INTERROGATORY NO. 5: Will SCT agree to reimburse the City of Hartford for engineering and legal expenses involved in reviewing plans and specifications of the proposed pipeline and determining the manner in which the City of Hartford will be able to extend its roadways and utilities to the west of the proposed pipeline so as to allow for the continued growth of the City of Hartford?

ANSWER: See SCS's response to Interrogatory No. 3.

INTERROGATORY NO. 6: What safety measures will SCT put into place to provide assurance to the City of Hartford and its residents, both present and future, that any leaks in the pipeline will not adversely affect the health, safety and well-being of the citizens of the City of Hartford?

ANSWER: SCS is designing the pipeline to meet, or exceed, federal requirements outlined in Title 49 of the Code of Federal Regulations Part 195 (49 CFR 195). This includes, but is not limited to, heavy-walled high-carbon steel pipe, a depth of cover 48" from top of the pipe, inspection of 100% of pipeline welds, hydro-testing of the pipeline above its planned service pressure to ensure its integrity, installation of cathodic protection and other measures to minimize possibility of corrosion, and 24-hour monitoring from a central Pipeline Control Center to confirm operations across the entire pipeline system. Furthermore, SCS will comply with federal Emergency Response requirements set forth in 49 CFR 195. An emergency response plan will be developed and in place prior to commencement of operation.

During pipeline construction and operation, SCS will coordinate with first responders and emergency management agencies to develop procedures for response to emergencies, natural hazards, hazardous materials incidents, and potential incidents. SCS will register all Project facilities and pipeline structures with the rural identification / addressing (fire number) system and 911/Public Safety Answering Points (PSAP).

During operations, the Project operator will coordinate with first responders to protect the public and the property related to the Project during natural, manmade or other incidents. The Applicant will prepare an operation manual for routine facility operations and an emergency response plan for abnormal operations per PHMSA regulations. Furthermore, SCS will coordinate emergency response drills and table-top exercises that will include first responder representatives.

INTERROGATORY NO. 7: Will SCT provide emergency personnel dedicated to the protection of the City of Hartford in the event of an emergency associated with leaks, ruptures, explosions or other damages caused by the pipeline, either during construction or when in operation if the pipeline should fail in any manner? If so, where will the personnel be located?

ANSWER: SCS will provide emergency preparedness educate and equipment to the Hartford 1st responders that will ensure they are prepared to respond safely to any incident to ensure the city of Hartford citizens are safe.

The location will be determined by the 1st responders when the training and exercises are conducted prior to operations.

INTERROGATORY NO. 8: What resources will SCT commit to assist in the training of emergency personnel who serve the City of Hartford and its surrounding area in dealing with an emergency associated with the pipeline?

ANSWER: SCS is committed to supporting the training of first responders to ensure preparedness. SCS will conduct public education outreach programs, including damage prevention programs, that meet or exceed industry requirements concerning public awareness of pipelines and pipeline operation. Additional actions SCS plans on taking in regards to coordinating with first responders and emergency management agencies is described in the response to Interrogatory No. 6.

INTERROGATORY NO. 9: What assurances and sureties will SCT provide to the City of Hartford and its residents to offset any potential liabilities associated with leaks, ruptures, explosions or other damages caused by the pipeline either during the installation process or when in operation if the pipeline should fail in any manner?

ANSWER: SCS is a well-capitalized company and intends to honor its obligation to offset any potential liabilities through commercially available insurance, similar to how other pipelines have done across the country and in the past.

INTERROGATORY NO. 10: What restrictions would SCT place upon the use of the surface area above the pipeline?

ANSWER: SCS doesn't own the surface. The surface owners agree, in a signed easement, not to construct a temporary or permanent building or site improvement, remove soil or change the grade or slope, impound surface water, plant trees, or do anything that would endanger or interfere with the operation and safety of the pipeline. These restrictions are in place to comply with federal safety requirements.

INTERROGATORY NO. 11: Would the surface area above the pipeline easement area be available for use by the City of Hartford for parks, bike trails or other recreational facilities, including the planting of trees or non-permanent structures?

ANSWER: Pipeline easements often consider such purposes and the surface owner is a large part of this determination. SCS would not object to uses which do not impeded with the safe operation of the pipeline and comply with federal safety requirements; however, to be specific, permanent structures may not be built and trees may not be planted on the

