

DARREN D. KEARNEY

500 E Capitol Rd · Pierre, SD 57501 · 605-773-3201
 darren.kearney@state.sd.us

EDUCATION:**UNIVERSITY OF SOUTH DAKOTA, Vermillion, South Dakota**

Beacom School of Business

Master's in Business Administration (GPA 4.0)

*June 2013 – May 2015***UNIVERSITY OF ST. THOMAS, Minneapolis, Minnesota**

Opus College of Business

Pursued Master's in Business Administration (GPA 3.95)

*November 2011 – December 2012***UNIVERSITY OF MINNESOTA, Minneapolis, Minnesota**

College of Biological Sciences

Bachelor of Science, Biology (GPA 3.347)

*September 2000 – December 2003***EXPERIENCE:****SOUTH DAKOTA PUBLIC UTILITIES COMMISSION, Pierre SD***Utility Analyst**February 2013 - Present*

- Ensured public utility company filings comply with South Dakota statutes and regulations.
- Made recommendations to the Commission, both in writing and orally, on complex technical matters.
- Worked on energy facility siting cases where I managed consultants, formulated positions with a team of experts and attorneys, drafted settlement agreements and testified before the Commission.
- Analyzed energy efficiency, telecom tariff, telecom certificate of authority, and electric service territory dockets.
- Used ArcGIS to create electric service territory boundary shapefiles and maps.
- Reviewed proposed EPA rules for potential impacts to South Dakota's electric utilities and authored comments in response to proposed rules.
- Participated in regional transmission planning work groups.
- Stayed current on the utility industry's changing environment, with emphasis on the regulatory environment.
- Attended several trainings on electric grid operation, regional transmission planning, public utility policy issues, and ratemaking.

XCEL ENERGY, Minneapolis MN*Plant Environmental Analyst III**October 2009 – February 2013*

- Reviewed power plant processes and made modifications as necessary to ensure the plant was in continued compliance with environmental permits and regulations.
- Coordinated environmental related testing (e.g. annual stack tests required by Air Permit/CAA).
- Worked on Title V Air Permit and NPDES Permit renewals/amendments.
- Reviewed plant air and water emissions data and generated compliance reports for Air and NPDES/SDS Permits.
- Performed plant compliance inspections/audits to ensure permits, policies, and procedures were properly executed.
- Provided environmental training to plant staff.
- Conducted root cause investigations on spills and permit non-compliance incidents, developed corrective actions to prevent incident reoccurrence, and then implemented the corrective actions as directed by plant management.
- Acted as point of contact during regulatory agency inspections and internal audits.
- Managed the facility's hazardous waste program for compliance with county waste rules and RCRA.

*Environmental Analyst II**August 2006 – October 2009*

- Subject matter expert for AST/UST compliance, the Oil Pollution Act of 1990 (SPCC) and Industrial Stormwater.
- Managed an Environmental Incident Response Program that involved training individuals on reporting and/or cleanup requirements for oil/chemical spills and power plant permit non-compliance incidents.
- Mobilized company and contractor resources to spills and directed spill cleanups.
- Negotiated with regulators (e.g. Minnesota Pollution Control Agency) to secure aboveground storage tank permits.

EXHIBIT**S1b**

tabbles

ADECCO TECHNICAL, Edina MN

Contract Biologist - Xcel Energy Environmental Analyst

June 2004 – August 2006

- Developed monitoring plans, conducted field monitoring/sampling, performed statistical analysis on data collected, and authored reports for biological studies at Xcel Energy power plants as required by State and Federal Rules.
- Established knowledge of environmental permits and Federal, State, and Local environmental regulations.

ACHIEVEMENTS/OTHER ACTIVITY:

Academic: Beta Gamma Sigma International Honor Society (Business School)

Hockey Referee for South Dakota Amateur Hockey Association

Former Head Coach of the Oahe Lady Capitals High School Hockey Team



SOUTH DAKOTA
DEPARTMENT
OF PUBLIC SAFETY

prevention → protection → enforcement
EMERGENCY MANAGEMENT

Darren Kearney
Utility Analyst
South Dakota Public Utilities Commission
500 E Capitol Ave.
Pierre, SD 57501

Thank you for reaching out to inquire about the permit filed by SCS Carbon Transport LLC (SCS), the Department of Public Safety has reviewed the information you sent. In speaking with individuals within the department, to include Paul Merriman, State Fire Marshal and John Broers, Captain South Dakota Highway Patrol the following was determined:

- The State Fire Marshal's Office would only regulate the storage, use, and handling of CO2 and other compressed gas systems within buildings.
- The South Dakota Highway Patrol would assist local officials with a hazmat spill response, evac, potential protest response etc., if needed.
- The South Dakota Highway Patrol would utilize the emergency response guidebook protocols.
- The South Dakota Office of Emergency Management (SD OEM) would notify appropriate state agencies, to include the South Dakota Department of Agriculture and Natural Resources (DANR) to ensure proper clean up. It is our understanding that proper cleanup would be regulated by DANR.
- SD OEM would ensure adjacent counties were also notified of the situation and support local agencies in finding appropriate resources if those were needed outside mutual aid resources and the pipeline company's capabilities.
- Local agencies are able to call upon mutual aid and request a Hazmat team from one of the full-time fire departments across South Dakota if there was a need for their response.

The Department of Public Safety understands that the PUC is responsible for the review of the proposed carbon dioxide pipeline, pursuant to SDCL 49-41B-22. We submit these comments in response to the PUC's request. Local first responders may have additional comments regarding the project as response starts and ends at the local level.

Thank you for soliciting our comments.

Sincerely,

Tina A. Titze
Director, South Dakota Office of Emergency Management
Department of Public Safety



Division of Operations

Operations Support
700 E Broadway Ave
Pierre, SD 57501
O: 605.773.4391 | F: 605.773.2804
dot.sd.gov

February 25, 2022

Darren Kearney
Utility Analyst
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070

Subject: SDDOT Comments on Proposed Carbon Dioxide Pipeline (SD PUC Docket HP22-001)

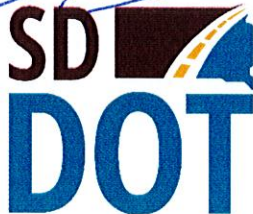
Dear Mr. Kearney:

South Dakota Department of Transportation appreciates the opportunity to provide comments regarding the proposed carbon dioxide pipeline. Installation of the pipeline crossing State Highways or Interstates will need to comply with South Dakota Administrative Rule 70:04:05. The pipeline owner will be required to submit an Application for Utility Permit for each crossing location to the responsible Area Office. A copy of the permit can be found on our website dot.sd.gov. Prior to submitting any permits, DOT would recommend contacting Craig Smith, Director of Operations, to have a coordination meeting with the DOT field offices involved in reviewing and approving the permit.

If you have any questions or need clarification on any comments let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig Smith".



Craig Smith, PE
Director of Operations | South Dakota Department of Transportation
Better Lives Through Better Transportation
700 E Broadway Ave Pierre, SD 57501
O: 605.773.5155 | C: 605.201.5535 | dot.sd.gov

600 East Capitol Avenue | Pierre, SD 57501 P605.773.3361 F605.773.5683



RECEIVED

APR 11 2022

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

April 6, 2022

Public Utilities Commission Staff
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

Re: HP22-001 - In the Matter of the Application by SCS Carbon Transport LLC for a
Permit to Construct a Carbon Dioxide Transmission Pipeline

Dear Commission Staff:

The South Dakota Department of Health has been requested to comment on the potential health impacts associated with a proposed carbon dioxide pipeline. The South Dakota Department of Health has not taken a specific public health position on carbon dioxide pipelines. However, if the permit process raises specific concerns that you would like the Department of Health to evaluate, we can do so at that time.

Sincerely,

A handwritten signature in blue ink that reads 'Joan Adam'.

Joan Adam
Secretary of Health

Third-Party Environmental Inspector

SCS shall contract with an independent third-party, approved by the Commission, to monitor compliance with this permit. More specifically, prior to construction, SCS shall file with the Commission its proposed third-party monitor's credentials, which shall include the individual's name, qualifications, and a description of how SCS proposes for the selected individual to monitor for compliance. After the third-party monitor has been approved by the Commission, the third-party monitor may not be removed by SCS without approval of the Commission. If the Commission determines that the third-party monitor has not been adequately performing the duties set forth for the position in this Order, the Commission may, upon notice to SCS and the third-party monitor, take action to remove the third-party monitor. At least 30 days prior to construction, SCS shall file with the Commission a plan that will be developed jointly with the selected third-party monitor. The plan will outline the specific terms and conditions of the third-party monitoring program that will include a minimum of the following considerations:

- a) The third-party monitor will be paid for by SCS, but will report directly to the Commission.
- b) The third-party monitor will work directly with the Public Liaison Officer, the SCS Environmental Inspectors, and Agricultural Inspectors to ensure compliance with the various conditions of the permit. In the event of a noncompliance, the monitor will have the obligation to timely notify SCS via the Environmental or Agricultural Inspector so as SCS can take the appropriate action to mitigate or correct the noncompliance. Should the third-party monitor report any noncompliance to the Commission or Staff, the report shall simultaneously be shared with SCS.
- c) The third-party monitor will have direct access to the company construction manager, project manager, or other company management staff and will have the ability to communicate any noncompliance issues or concerns that are not addressed or mitigated by the Environmental or Agricultural Inspectors.
- d) This condition will not include the monitoring of laws or processes that are otherwise under the inspection or jurisdiction of a different agency such as the USACE, USFWS, or PHMSA. The monitor will not inspect any technical design standard or requirement pursuant to 49 CFR Parts 194 and 195. However, should SCS be notified in advance of a compliance inspection to be conducted by any regulatory agency, SCS shall notify the third-party monitor of the inspection date, time, and location and afford the third-party monitor the opportunity to participate in the inspection for the purpose of submitting a summary report of the inspection to the Commission.
- e) The third-party monitor's contractual monitoring obligations to the Commission will require them to begin their monitoring responsibilities with the onset of mainline construction activities and will end at the conclusion of initial reclamation activities.
- f) The third-party monitor will comply with all SCS safety requirements. This includes the obligation to safely work, travel, and traverse within the limits of the construction work area and will be subject to SCS safety standards and processes at all times, under no exceptions. The third-party monitor must comply with all access points, travel restrictions within the construction work areas, and any special conditions or safety exclusion areas throughout the duration of construction. The third-party monitor must comply with all local, state, and federal laws and regulations.

g) The monitor will not have any stop work authority.

h) The third-party monitor shall prepare a report to the Commission or Staff as determined by the Commission that will include, at a minimum, the work areas that were monitored, any concerns, noncompliance events, any remediation or mitigation measures employed to ensure compliance with the various conditions of the permit, any additional steps to correct or remedy a noncompliance, and a list of any areas of concerns. The reports will be posted on the Commission's website for the public to view.

Public Liaison Officer

SCS shall provide a public liaison officer, approved by the Commission, to facilitate the exchange of information between SCS, including its contractors, and landowners, local communities, and residents and to facilitate prompt resolution of complaints and problems that may develop for landowners, local communities, and residents as a result of the Project. SCS shall file with the Commission its proposed public liaison officer's credentials for approval by the Commission prior to the commencement of construction. After the public liaison officer has been approved by the Commission, the public liaison officer may not be removed by SCS without the approval of the Commission. The public liaison officer shall be afforded immediate access to SCS's on-site project manager, its executive project manager, and to contractors' on-site managers and shall be available at all times to the Staff via mobile phone to respond to complaints and concerns communicated to the Staff by concerned landowners and others. SCS shall also implement and keep an updated web site covering the planning and implementation of construction and commencement of operations in this state as an informational medium for the public. As soon as the SCS's public liaison officer has been appointed and approved, SCS shall provide contact information for him/her to all landowners crossed by the Project and to law enforcement agencies and local governments in the vicinity of the Project. The public liaison officer's contact information shall be provided to landowners in each subsequent written communication with them. If the Commission determines that the public liaison officer has not been adequately performing the duties set forth for the position in this Order, the Commission may, upon notice to SCS and the public liaison officer, take action to remove the public liaison officer.