

BEFORE THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF SOUTH DAKOTA

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**HP 22-002**

IN THE MATTER OF THE APPLICATION  
 OF NAVIGATOR HEARTLAND  
 GREENWAY, LLC FOR A PERMIT UNDER  
 THE SOUTH DAKOTA ENERGY  
 CONVERSION AND TRANSMISSION  
 FACILITIES ACT TO CONSTRUCT THE  
 HEARTLAND GREENWAY PIPELINE IN  
 SOUTH DAKOTA,

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**APPLICANT'S AMENDED  
 SUPPLEMENTAL RESPONSES  
 TO STAFF'S FIFTH SET  
 OF DATA REQUESTS**

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Applicant Navigator Heartland Greenway LLC makes the following amended supplemental responses to Staff's Fifth Set of Data Requests pursuant to SDCL § 15-6-33, and 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 requests to the extent that such definitions and directions deviate from the South Dakota Rules of Civil Procedure.

5-10) What technical studies and supporting documentation was used to the development of the buffers for the 6", 8", 12", 16", and 20" pipelines as shown in the table on page 3 of 5 in the document titled "Heartland Greenway System Plume Modeling and Buffer Overview"? Please provide.

**RESPONSE:** Objection. This request seeks information that is confidential and proprietary and is maintained as such. Without waiving the objection, subject to the Protective Order entered by the Commission, information Utilized for Evaluation of Routing and Plume/Dispersion Modeling is included on Page 2 of the document above the referenced Table on page 3. Additional information is included in the document provided in response to DR 2-26, DNV-RP-F104 Design and Operations of CO2 Pipelines.

**SUPPLEMENTAL RESPONSE:** Objection. This request seeks information that is confidential and proprietary and is maintained as such. Without waiving the objection, attached and produced subject to the protective order entered March 2, 2023, is a confidential document titled "Heartland Greenway System: CO2 Air Dispersion Guidance" and an Excel Spreadsheet with input data. The document explains the modeling that was done and provides additional detail about the process and inputs used for the modeling.

**AMENDED SUPPLEMENTAL RESPONSE:** Objection. This request seeks information that is confidential and proprietary and is maintained as such. Without waiving the objection, attached and produced subject to the protective order dated March 2, 2023, are two corrected versions of a confidential document titled "Heartland Greenway System; CO2 Air dispersion Guidance." This document was produced on June 27, 2023. One of the corrected versions shows in redline a few corrections in the wind speed column in the tables included as part of the document. The other version is clean. There were no changes to the Excel Spreadsheet, which has therefore not been served a second time.

Dated this 28th day of June, 2023.

WOODS, FULLER, SHULTZ & SMITH P.C.

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*Attorneys for Navigator Heartland Greenway*

### **OBJECTIONS**

The objections stated to Staff's Fifth Set of Data Requests were made by James E. Moore, one of the attorneys for Navigator Heartland Greenway, for the reasons and upon the grounds stated therein.

/s/ James E. Moore  
*One of the Attorneys for Navigator Heartland  
Greenway*

### CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of June, 2023, a true and correct copy of the foregoing Applicant's Amended Supplemental Responses to Staff's Fifth Set of Data Requests was served via e-mail transmission to the following:

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/s/ James E. Moore  
One of the Attorneys for Navigator  
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