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SCOPING AND INFORMATIONAL MEETING  
CARLTON - AUGUST 26, 2015 - 11:00 A.M.  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION  
AND DEPARTMENT OF COMMERCE

In the Matter of the Application of Enbridge Energy,  
Limited Partnership for a Certificate of Need and a  
Pipeline Routing Permit for the Line 3 Replacement  
Project in Minnesota from the North Dakota Border to the  
Wisconsin Border

MPUC DOCKET NOs. PL-9/CN-14-916  
PL-9/PPL-15-137

Carlton County Transportation Department  
1630 County Road 61  
Carlton, Minnesota

August 26, 2015

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1 MS. TRACY SMETANA: Again, good morning,  
2 everyone, and thank you for coming.

3 My name is Tracy Smetana, I'm the public  
4 advisor with the Minnesota Public Utilities  
5 Commission. And we're here for a public information  
6 meeting for the proposed Enbridge Line 3 Replacement  
7 Project.

8 The purpose of today's meeting is first  
9 to explain the Commission's review process. To  
10 provide some information about the proposed project.  
11 And to gather information for the environmental  
12 review. And also to answer some general questions  
13 about the process and the project.

14 In the notice, we did have a rough agenda  
15 published as well. And so you can see the first 30  
16 minutes or so include some formal presentations from  
17 the Public Utilities Commission staff, Enbridge, and  
18 Department of Commerce staff as well. After that  
19 we'll move into the citizen comment and questions  
20 portion of the meeting. If that portion does  
21 continue until 12:30, we do need to take a court  
22 reporter break at that time and we will resume after  
23 a 15-minute break.

24 So who is the Public Utilities  
25 Commission? Well, we're a state agency and we

1 regulate a number of utility issues within the state  
2 of Minnesota, including permitting for pipelines.  
3 We have five commissioners appointed by the governor  
4 and we also have about 50 staff in St. Paul.

5 Before this project can be built it needs  
6 two different approvals from the Public Utilities  
7 Commission. The first is what we call a certificate  
8 of need and that answers the question of is the  
9 project needed. There are statutes and rules that  
10 guide this process and I've identified those here if  
11 you're interested in getting more information.

12 The second piece of the puzzle is what we  
13 call a route permit. And that answers the question,  
14 if it is needed, where will it go. And, again,  
15 there are statutes and rules that guide this process  
16 listed here as well.

17 As we work through the process, there are  
18 a number of agencies and organizations that are  
19 involved along the way and so I wanted to give you a  
20 little bit of who's who.

21 First of all, we have the applicant.  
22 That's what we call the company asking for the  
23 certificate of need and the route permit. So in  
24 this case that's Enbridge Energy. So if you hear us  
25 say applicant, that's who we're talking about.

1           The Department of Commerce is another  
2 state agency, separate from the Public Utilities  
3 Commission, and they play two different roles in  
4 this process.

5           The first is conducting the environmental  
6 review. And it's the Energy Environmental Review  
7 and Analysis group within Commerce that handles  
8 that. You might see that abbreviated as EERA.

9           The other side of Commerce that assists  
10 in the process is Energy Regulation and Planning.  
11 And their job is to represent the public interest  
12 when utilities ask to make changes to their rates,  
13 services, facilities, and so on. And they  
14 participate in the certificate of need side of the  
15 process.

16           Later on, there will be another state  
17 agency involved, the Office of Administrative  
18 Hearings, which you might see abbreviated as OAH.  
19 They will assign an administrative law judge who  
20 will hold hearings, both public hearings along the  
21 proposed route area, and what we call contested case  
22 hearings or evidentiary hearings, likely in  
23 St. Paul, to review the facts in the record. And  
24 ultimately the judge will write a report for the  
25 Public Utilities Commission to consider in its

1 decision-making process.

2 At the Commission there are two staff  
3 members assigned to this project. The first is our  
4 energy facilities planner. That's on more of the  
5 technical side, assists on building the record,  
6 advises commissioners about the impacts of different  
7 decision options.

8 And then there's the public advisor,  
9 again, that's me, my job is to work with folks,  
10 figure out how to participate, when to participate,  
11 how to submit comments, when comment periods are  
12 open, where to get more information, so on and so  
13 forth.

14 Commission staff members are neutral. We  
15 don't advocate for one party or another or one  
16 position or another. Our job is simply to be  
17 neutral and provide information.

18 So in order for the Public Utilities  
19 Commission to make a decision about the question of  
20 need, the statutes and rules do provide some  
21 guidance, and this is a list of the factors that the  
22 Commission must consider when making that decision.  
23 Likewise, there are a list of factors the Commission  
24 must consider when determining the route permit.

25 One thing that the statutes and rules do

1 not do with this list of criteria is rank them. So  
2 it doesn't say no matter what, human settlement is  
3 the most important consideration. Or no matter  
4 what, the cumulative effects is the most important  
5 consideration. And so as we work through the  
6 process, folks will provide evidence and information  
7 about all of these different aspects and it's up to  
8 the commissioners to weigh those out and balance  
9 that information and ultimately come up with a route  
10 permit, if they do indeed grant one.

11 So this is an overview of what the  
12 certificate of need process looks like in this case.  
13 And I'm not going to go through it step by step, but  
14 I do want to point out a couple things.

15 So you can see right now we're at this  
16 blue box, public information meetings. And you can  
17 see there are a number of boxes between there and  
18 the bottom box that says decision. And so I just  
19 want you to know that we have a lot of steps to  
20 complete before we get to that point, we're early on  
21 in the process. I also want to point out that there  
22 are a number of opportunities for folks to  
23 participate in the process along the way. Either by  
24 attending meetings as you are today, submitting  
25 written comments, and so on.

1           A very similar chart for the route permit  
2 process. And, again, kind of the same issues to  
3 point out here. We're at this blue box here, the  
4 public information meetings, and we have a number of  
5 things that need to happen before we get to the  
6 bottom box of a decision, and there are  
7 opportunities to participate along the way.

8           Here's an estimated timeline. Based on  
9 what we know today this early on in the process,  
10 here's when we think some of these milestones may  
11 occur. Ultimately, a decision could happen on the  
12 certificate of need by June of 2016.

13           And an estimated timeline on the route  
14 permit side as well. Again, this early in the  
15 process, we're just, you know, using our best  
16 information to estimate these time frames, and we  
17 anticipate that a route permit decision could happen  
18 by August of 2016.

19           Now, as I mentioned, there are  
20 opportunities for you to participate along the way.  
21 And one of the ways that we let you know when those  
22 opportunities present themselves is by issuing a  
23 notice to tell you that's what's happening. And so  
24 I just wanted to give you a sample of what a notice  
25 might look like, you can see this was one from back

1 in April, just to point out the key elements that  
2 you'll want to pay attention to if you receive one  
3 of these in mail, in an e-mail, or if you see one in  
4 the newspaper.

5 First of all, we have the PUC docket  
6 numbers. And you can see for this particular  
7 project there are two. And as I mentioned, there  
8 are two pieces to the puzzle. One is the question  
9 of need, the other is the question of route, and so  
10 there's a separate docket number for each of those.

11 The docket number is really the key to  
12 finding information or submitting information to the  
13 Public Utilities Commission. Everything that  
14 happens with this project is filed within these  
15 docket numbers.

16 There's also a comment period. So there  
17 are deadlines, we need to gather the information in  
18 this phase before we can move on to the next phase  
19 so it's important to pay attention to those comment  
20 periods.

21 The notice will also identify the topics  
22 that are open for comment at that point in the  
23 process. So as we work our way through, there will  
24 be different questions that we want help answering,  
25 and so it's most helpful if you can focus your

1           comments on those topics that are listed in the  
2           notice.

3                       So, to recap, the keys to sending  
4           comments. Include the docket number. Very  
5           important, make sure it ends up in the right place.  
6           Try and stick to the topics listed as much as  
7           possible, that way you'll provide the most impact  
8           with the comments that you share. You don't need to  
9           submit your comments more than once. Once they're  
10          in the record, they're in the record, we have them,  
11          you don't need to repeat that. Verbal and written  
12          comments carry the same weight. So, for example, if  
13          you speak today you don't also need to submit your  
14          comments in writing. You're certainly free to do  
15          so, but that's not required.

16                      The Commission's decision is based on the  
17          facts in the record. So it's not based on how many  
18          people like option A versus option B or anything of  
19          that nature. It's really based on the facts in the  
20          record and that's how the Commission will make its  
21          decision.

22                      I also want to let you know that the  
23          comments you submit, whether you speak them, write  
24          them, e-mail them, what have you, they are public  
25          information. We have an online filing system where

1 we track everything that happens in this process,  
2 and once your comments are in the record they will  
3 be posted to that site on the Internet for all to  
4 see. So just so you know not to include sensitive  
5 information that you might not want on the Internet.  
6 And, again, be certain that your comments are  
7 submitted before the deadline so that we can  
8 consider them as we move forward in the next step of  
9 the process.

10 Now, if you want to stay informed about  
11 this project, there are a number of ways you can do  
12 that. First, you can see everything that's been  
13 submitted in the record so far. And that's via our  
14 eDocket system that I mentioned a moment ago. These  
15 are the steps that you would follow to see that  
16 information online.

17 We also have a project mailing list where  
18 you can receive information about project milestones  
19 and opportunities to participate, sort of the high  
20 points of what happens along the way. When you came  
21 in there was an orange card. You can fill that out  
22 and return that to the desk on the way in if you'd  
23 like to sign up for that project mailing list. And  
24 you can opt to receive information via U.S. mail or  
25 by e-mail on that list.

1                   We also have an e-mail subscription  
2                   service where you can sign up to receive an e-mail  
3                   notification every time something new happens in the  
4                   dockets. These are the steps you would follow to  
5                   subscribe. But I do want to point out that it can  
6                   result in a lot of e-mail, so a lot of folks say,  
7                   oh, I don't want my inbox filling up that fast or I  
8                   don't like getting all that e-mail. If that's, you  
9                   know, the way you feel about it, you might want to  
10                  go with the orange card instead. And this is just a  
11                  picture of what it looks like when you get to that  
12                  subscription service. People will say it's not  
13                  super user-friendly, so I always like to give a  
14                  little picture so you know you are in the right  
15                  place and you've entered the right information when  
16                  you get there.

17                 And, finally, there are two different  
18                 staff members assigned to this project at the Public  
19                 Utilities Commission. The first, again, is me, my  
20                 name is Tracy, I'm the public advisor. And the  
21                 energy facilities planner on this case is Scott Ek.  
22                 And Scott is here today, so if you have questions  
23                 for either of us, we'll be happy to answer.

24                 With that, I will turn the presentation  
25                 over to Enbridge.

1                   MR. MITCH REPKA: Hello, everyone. Is it  
2 working?

3                   All right. My name is Mitch Repka, I'm  
4 the manager of engineering and construction for the  
5 Line 3 Replacement Project here in the U.S.

6                   I'd like to just start by thanking the  
7 Public Utilities Commission as well as the  
8 Department of Commerce for inviting us here to speak  
9 today, and also thank you for taking some time out  
10 of your day to be with us.

11                  Before we get started, I'd like to just  
12 start with a quick safety moment, which we typically  
13 do for larger meetings, so I just want to point out  
14 the emergency exhibits today. In the event of a  
15 fire or some reason to evacuate, there is an exit in  
16 the back corner of the building. Also, if you go  
17 through here and right out the door where most of  
18 you probably came in, and then we'll just muster in  
19 the parking lot in the grassy area. So that's the  
20 safety moment for today.

21                  As for the presentation, I'll give an  
22 overview of who Enbridge is. The history of Line 3.  
23 And then talk about project-specific details as well  
24 as finish out with the benefits.

25                  So who is Enbridge? Enbridge owns and

1 operates the world's longest crude oil pipeline  
2 system. It delivers approximately 2.2 billion --  
3 I'm sorry, million barrels per day of liquid  
4 petroleum and satisfies the needs of approximately  
5 70 percent of the market for the refineries here in  
6 the Midwest, including Minnesota and Wisconsin.

7 As you can see on the map, Enbridge has a  
8 variety of assets across North America. The blue  
9 lines indicate the liquid petroleum system, and the  
10 red are natural gas and joint venture assets. The  
11 company also has a growing portfolio of renewable  
12 energy, including 14 wind farms, four solar  
13 facilities, as well as geothermal assets.

14 At Enbridge we operate under three core  
15 values of integrity, safety, and respect. And each  
16 of these values is interwoven in everything we do as  
17 an organization, whether it be planning, designing,  
18 construction, long-term operation and maintenance of  
19 our facilities. Safety is a top priority for  
20 landowners and community members and at Enbridge,  
21 and we take this responsibility seriously. We're  
22 committed to the long-term safe and reliable  
23 operation of our assets across the system as well as  
24 here in Minnesota.

25 As for the history of Line 3. The line

1 was originally constructed in the 1960s and was  
2 placed into service in 1968. It's approximately  
3 1,097 miles in length. It spans from Edmonton,  
4 Alberta to Superior, Wisconsin. It is a 34-inch  
5 diameter pipeline. It's an integral part of the  
6 Enbridge mainline system. As mentioned earlier, it  
7 delivers crude to Minnesota, Wisconsin, and other  
8 portions of North America.

9 As for the replacement project. It is an  
10 integrity- and maintenance-driven project;  
11 therefore, we're proposing to permanently deactivate  
12 the existing pipeline and replace it with a new  
13 pipeline from Hardesty, Alberta to Superior,  
14 Wisconsin. The new line is approximately 1,031  
15 miles in length and is 36 inches in diameter.

16 Regulatory approvals are currently being  
17 sought in both Canadian and the U.S. The overall  
18 cost of the project is estimated to be \$7.5 billion,  
19 which makes it one of North America's largest  
20 infrastructure projects. Of that total, about 2.6  
21 billion is for the U.S. portion.

22 As for the U.S. portion of the project.  
23 As mentioned earlier, it is a maintenance- and  
24 integrity-driven project. Therefore, the old Line 3  
25 will be permanently deactivated as a result of the

1 project. This will reduce the need for ongoing  
2 maintenance and integrity dig activity along the  
3 corridor, reducing landowner impact as well as  
4 environmental impacts.

5 So the U.S. portion of the project is 364  
6 miles in length, 13 of which are in North Dakota,  
7 337 are in Minnesota, and 14 are in Wisconsin.

8 The certificate of need and routing  
9 permit were filed in April of 2015, and pending  
10 approval of those applications, we expect  
11 construction to start in 2016 and continue through  
12 2017.

13 So as for the Minnesota portion of the  
14 project. The preferred route is shown in purple  
15 here. As you can see, it enters in Kittson County  
16 to allow it to be tied into our North Dakota  
17 segment. It travels through Clearbrook to allow  
18 deliveries into the Minnesota Pipe Line system, as  
19 well as our existing terminal facility. And then  
20 must exit in Carlton County to allow it to be tied  
21 to the Wisconsin segment of the project.

22 So as for the segments north and west of  
23 Clearbrook, this route is 98 percent collocated with  
24 existing utility facilities and also includes four  
25 pump stations located at Donaldson, Viking, Plummer,

1 and Clearbrook. And then for the south and east  
2 portion of Clearbrook here, that route is 75 percent  
3 collocated with existing utility facilities and  
4 includes four additional pump stations as well at  
5 Two Inlets, Backus, Palisade, and Cromwell.

6 The project is designed to flow 760,000  
7 barrels per day of crude. There are 27 mainline  
8 valves located along the route. And the overall  
9 construction footprint is 120 feet in uplands and 95  
10 feet in wetlands. Of that total, 50 feet is  
11 permanent easement, the rest is used for temporary  
12 work space just during construction. The overall  
13 investment here in Minnesota is estimated to be \$2.1  
14 billion.

15 As for the benefits. Again, the project  
16 will result in the permanent deactivation of Line 3,  
17 which will reduce the ongoing landowner and  
18 environmental impacts associated with integrity digs  
19 and maintenance activity along that route. Also, it  
20 will restore the historical operating capabilities  
21 of Line 3, which will allow the existing  
22 apportionment on the mainline system to be reduced,  
23 therefore more adequately meeting our customer  
24 demands.

25 As for jobs. We anticipate 1,500

1 construction jobs will be created as a result of the  
2 project. 50 percent of those will come from local  
3 labor sources here in Minnesota. There will also be  
4 a need for long-term positions with Enbridge in  
5 order to operate and maintain the new asset once  
6 it's in service.

7 Direct benefits will also be seen by the  
8 businesses along the corridor. As construction  
9 ramps up, there will be additional labor and  
10 services required in those areas and so those folks  
11 will require housing, they'll shop at our local  
12 grocery stores, gas stations, they'll purchase goods  
13 and services from other local businesses. So those  
14 businesses will see a direct benefit from the  
15 project.

16 Also, on a long-term basis, additional  
17 tax revenue will result in the project to each of  
18 the counties that we operate in. We anticipate  
19 approximately \$19.5 million in additional revenue  
20 for the entire state. And, again, that funding will  
21 go to each of the counties that the line traverses.  
22 So that funding can be used for a variety of things,  
23 whether it be infrastructure improvements,  
24 maintenance of existing facilities, or reduction in  
25 tax burden for the county members.

1                   So we do have a few other Enbridge  
2 personnel here and I'd like to just allow them a  
3 minute to introduce themselves.

4                   MR. BARRY SIMONSON: Okay. Can everyone  
5 hear me? I might not use a mic. Yes or no?

6                   Okay. Good day, everyone. My name is  
7 Barry Simonson with Enbridge. I am the project  
8 director for the Line 3 Replacement Project. So in  
9 that role I have the ultimate oversight of all  
10 aspects for the project itself.

11                  So thanks again for joining us, I hope we  
12 have a good conversation today.

13                  MR. JOHN GLANZER: Good morning. I'm  
14 John Glanzer, my role is the director of  
15 infrastructure planning for the Enbridge liquids  
16 pipeline system. In the planning department we  
17 provide the functional scoping on new pipeline  
18 projects to ensure that they efficiently merge into  
19 the network when they are installed.

20                  MR. JOHN MCKAY: Good morning, everyone,  
21 and thanks for coming.

22                  My name is John McKay, I'm the senior  
23 manager of land services for U.S. projects, and I  
24 provide oversight of the easement acquisitions and  
25 other land right acquisitions for the project.

1 MR. JOHN PECHIN: Good morning.

2 My name is John Pechin, I'm the Bemidji  
3 area operations manager and I'll be responsible for  
4 electrical and mechanical maintenance after the  
5 project comes into service.

6 MR. PAUL TURNER: Good morning.

7 My name is Paul Turner, I'm supervisor of  
8 our environmental permitting team for the Line 3  
9 Replacement Project. In that role, I manage and  
10 oversee the preparation and submittal of all permits  
11 necessary for construction.

12 MR. MARK WILLOUGHBY: Good morning,  
13 everyone. Thanks for coming.

14 My name is Mark Willoughby, I'm director  
15 of project integration for Enbridge. In my role I  
16 ensure a smooth transition from construction to  
17 operation. And prior to my current role I spent  
18 seven years as the director of operations for the  
19 Superior region, which includes Enbridge's mainline  
20 assets in Minnesota.

21 MR. ARSHIA JAVAHERIAN: Good morning,  
22 thank you for having us.

23 My name is Arshia Javaherian, I'm senior  
24 legal counsel and I'm the attorney in-house  
25 responsible for the regulatory permitting for this

1 project.

2 MR. MITCH REPKA: Okay. Thanks again,  
3 and we'll turn the presentation over to the  
4 Department of Commerce.

5 MS. JAMIE MACALISTER: Good morning.  
6 Maybe I'll just hold this. Good morning, everyone.

7 My name is Jamie MacAlister, I'm with the  
8 Department of Commerce, Energy Environmental Review  
9 and Analysis unit. And with me here today is Larry  
10 Hartman. You may know Larry from other projects in  
11 this area.

12 I want to go over a couple of things here  
13 before we get into the presentation and our  
14 question-and-answer session. The first being, I  
15 hope you were able to grab a folder on your way in.  
16 And in your folder hopefully you have a copy of this  
17 presentation, that's helpful, as the contact  
18 information and whatnot is on that. You should also  
19 have a comment form and a sheet on how to provide  
20 comments for this project, as well as a draft  
21 scoping document for the comparative environmental  
22 analysis, and a map. A two-sided map. If you're  
23 missing any of those items, if you can let us know  
24 we'll figure out what you're missing and make sure  
25 that you get what you need.

1           I also want to let everyone know that an  
2 additional meeting has been added for tomorrow,  
3 August 27th, from 11:00 to 2:00 at the East Lake  
4 Community Center in McGregor.

5           As we get into the presentation, I want  
6 to go over a couple of things about a brief overview  
7 of the permitting process, some information on  
8 scoping -- this is not working very well here.

9           Okay. All right. Maybe this will be  
10 better.

11           I want to talk a little bit about  
12 submitting comments on route and segment  
13 alternatives as well as some examples, and then  
14 we'll move into our question-and-answer session.

15           So the pipeline routing process in  
16 Minnesota is governed by Minnesota Statute 216G and  
17 Minnesota Rule 7852. And this Line 3 Replacement  
18 Project is a full review process, which includes the  
19 preparation of an environmental document, as well as  
20 public hearings administered by an administrative  
21 law judge.

22           I know Tracy has gone over the process a  
23 little bit here, I just wanted to go over that after  
24 these public information and scoping meetings, we  
25 will be reviewing any route and segment alternatives

1 and we will be submitting those to the Public  
2 Utilities Commission for approval. And anything  
3 that comes out of that approval process will be  
4 carried forward for analysis in the comparative  
5 environmental review.

6 The purpose of these scoping meetings is  
7 to provide the public and the agencies, tribes, and  
8 local governments the opportunity to help us  
9 identify issues and impacts that are important to  
10 you. And these can be human and environmental. It  
11 allows everyone the opportunity to participate in  
12 the development of the route and segment  
13 alternatives. And, again, the alternatives that get  
14 carried forward for analysis are approved by the  
15 Public Utilities Commission.

16 So what is the comparative environmental  
17 analysis? That is the environmental document that  
18 is prepared for pipelines. It is an alternative  
19 form of environmental review that was approved by  
20 the Minnesota Environmental Quality Board and it is  
21 designed to meet the Minnesota Environmental Policy  
22 Act requirements.

23 The CEA is an objective analysis of the  
24 project. It will discuss the impacts and mitigation  
25 measures. It does not advocate for any particular

1 route or alternative. And the intent of the  
2 document is to provide decision-makers with all the  
3 information they need to make an informed decision.

4 If you choose to submit comments and  
5 route and segment alternatives, it's helpful if you  
6 provide us a map. A map can be an aerial photo, a  
7 county highway map, a plat book, identifying your  
8 proposed route or route segment. It's also helpful  
9 if you include a description of the existing  
10 environment and then as much additional information  
11 as you can so that when we are reviewing these  
12 alternatives we're not second-guessing your intent  
13 when you submitted them.

14 The alternatives to the project must  
15 mitigate specific impacts. That impact could be an  
16 aesthetic impact, it could be a land use impact, a  
17 natural resource impact such as wetlands, waterways,  
18 specific environmental concerns that you have,  
19 health impacts. It also needs to meet the need for  
20 the project, so the project does need to go to  
21 Clearbrook and it does need to end in Superior.

22 I'll just run through briefly some  
23 examples from a transmission line of avoidance  
24 issues and alternatives that were suggested. In  
25 this example the issue was avoidance of a historic

1 property. You can see that a number of alternatives  
2 were suggested to avoid that property. Sometimes  
3 the suggestions are to maintain a project within an  
4 existing right-of-way. That could be a utility  
5 right-of-way or a roadway right-of-way. Avoidance  
6 of a memorial site. So you can see there's a range  
7 of things that can be provided to avoid specific  
8 impacts.

9 I'd like to turn your attention to the  
10 maps in your folder. The map, this map shows the  
11 alternatives that were proposed for the Sandpiper  
12 Pipeline. You can see there's quite a few of them  
13 here. The other side shows more of a close-up of  
14 these alternatives. All of these alternatives that  
15 were proposed for Sandpiper are still under  
16 consideration for Line 3. We have not done the  
17 comparative environmental analysis for Sandpiper and  
18 for the portions of the route where they go together  
19 east of Clearbrook, all of those alternatives are  
20 still on the table.

21 So speaking of Sandpiper and the process,  
22 I want to give you a brief recap of where we are in  
23 the permitting schedule with these two projects. In  
24 August of last year, the Public Utilities Commission  
25 did approve 53 route and segment alternatives for

1 Sandpiper. In the fall of last year that process  
2 was put on hold. And when the Line 3 application  
3 came in we have been trying to move the permitting  
4 process, the comparative environmental analysis  
5 process for both projects together. So when we get  
6 the routes accepted for Line 3, the comparative  
7 environmental analysis will cover both projects.

8 So we anticipate that the routes will be  
9 accepted for consideration sometime this fall, maybe  
10 in November. The comparative environmental analysis  
11 will be released sometime next spring, potentially  
12 in March, and then we'll move on to the public  
13 meetings and contested case hearings.

14 So as we move into the  
15 question-and-answer session here, I would like to  
16 request that we have one speaker at a time. That  
17 you please state and spell your name for the court  
18 reporter. She will remind you to do so. And due to  
19 the number of people that we have had speaking at  
20 these meetings, I will need to limit your comments  
21 to five minutes.

22 And I would like to have this be a  
23 respectful meeting here, we will have diverging  
24 opinions, so I would like all of us to respect that.  
25 And to direct your comments and questions to the

1 extent possible to the comparative environmental  
2 analysis scope.

3 And with that, one more on comments. As  
4 Tracy mentioned, that any verbal comments will be  
5 taken here, we're happy to also take your written  
6 comments. You can submit those written comments to  
7 us today, you can send them in at your leisure, you  
8 can mail them, e-mail them, fax them to me.

9 Okay.

10 MR. LARRY HARTMAN: The first speaker is  
11 Rick Klein.

12 MR. RICK KLEIN: Good morning. Rick  
13 Klein, K-L-E-I-N. I'm a Minnesota resident, I live  
14 in St. Paul, Minnesota. I work for the Minnesota  
15 Pipe Trades as a marketing representative. My job  
16 is to find manpower in the piping industry. I'm  
17 also a member of Local 34 as a plumber. And you  
18 said questions, so I'm going to bring questions  
19 today.

20 The existing pipeline -- the first  
21 question is going to be for Enbridge. The existing  
22 pipeline that's 34 inches long -- or 34 inches in  
23 diameter, I was wondering, when it was first  
24 installed 60 years ago, 58 years ago, the type of  
25 material and, actually, how it was put into the

1 ground, was it covered then, what is the existing  
2 piping that is in the ground at this moment?

3 MR. MITCH REPKA: Yeah. The existing  
4 line was installed in the 1960s. It's got a tape  
5 wrap on it and is, you know, one of the contributing  
6 factors to some of the external corrosion we've seen  
7 on the pipeline. But it's made from steel that, you  
8 know, in today's age we have a higher strength steel  
9 that we're proposing to use than what's currently in  
10 place.

11 MR. RICK KLEIN: With that question, is  
12 it buried directly into the ground? Is it on  
13 supports? Or how does it go through these wetlands  
14 and on dry lands and that nature?

15 MR. MITCH REPKA: That's correct, it's  
16 buried, as the other lines in the corridor are, too,  
17 and running through wetlands and through ag.

18 MR. RICK KLEIN: It's in the ground?

19 MR. MITCH REPKA: Yep, that's correct.

20 MR. RICK KLEIN: So it's not put on any  
21 type of pipe supports or nothing like that,  
22 expansions or hangers or whatever you would want to  
23 call them?

24 MR. MITCH REPKA: No. Typically  
25 installation would be to dig a trench, you know,

1 weld the pipe on the ditch bank, and then lower it  
2 in and backfill and ensure we've got adequate cover  
3 that way.

4 MR. RICK KLEIN: My last question about  
5 buried pipe. As a plumber, putting in a new system  
6 into the ground, let's say I'm putting something in.  
7 On the way in, I've had this happen to me, so you're  
8 talking about isolating the existing line and  
9 capping it, cleaning it, keeping it energized. I  
10 have had pipe in my day that's actually floated out  
11 of the ground because of rain and water situations.

12 So my concern is is if you're capping and  
13 monitoring this pipe, I'm not an engineer, obviously  
14 you're going to need enough water to make it float,  
15 has this been taken into consideration? I mean,  
16 barges float, too, and they're made out of concrete,  
17 so is there a ballast system in place?

18 MR. MITCH REPKA: During the install  
19 method it is common practice now to use pipeline  
20 weights to ensure the pipeline is weighted where  
21 necessary so we've got adequate buoyancy control.  
22 You know, once the line is deactivated, the  
23 right-of-way will be continued to be patrolled as it  
24 is today and maintained, so, you know, if there are  
25 any buoyancy issues it would be addressed at that

1 time.

2 MR. RICK KLEIN: All right. Maybe we can  
3 stay with you, then. My last question would be, in  
4 these sensitive areas where obviously we can't seem  
5 to get the right questions out there, so I'm going  
6 to ask them. We have our resorts, we have our lakes  
7 that we all love and our hunting and all that. So  
8 when we go into these sensitive areas that we're  
9 trying to protect and you're building valve systems  
10 and you're making sure that you can shut the system  
11 down, is there other ways that we could protect this  
12 pipe that we're not looking at that maybe should be  
13 looked at? And I'm thinking about the wild rice,  
14 actually. I mean, when we get into maybe where  
15 there's a market and a setback area, is there  
16 something we could do in addition to what we are  
17 doing? Has any thought been put into double  
18 containment or anything like that?

19 MR. MITCH REPKA: You know, there's  
20 several safety factors that are inherent into the  
21 design. Certainly valve placement is one of them.  
22 You know, we're aware of environmentally sensitive  
23 features along the entire corridor, not only wild  
24 rice, and so we take those into consideration when  
25 we consider placement of valves, our location of the

1 pipeline, depth of cover, these various factors that  
2 we can help to ensure we've got, you know, adequate  
3 controls in place. Also, we've got, you know, a  
4 leak detection system that's fully functional and  
5 the valves are able to be communicated with  
6 remotely.

7 So there's, you know, a number of checks  
8 and balances in the system in order to ensure that  
9 those resources are being protected.

10 MR. RICK KLEIN: Thank you for your time.  
11 I'm just hoping that we put that ounce of prevention  
12 in place at the time of building. I'm sure it'll be  
13 cheaper to do it in the beginning stages than to  
14 follow it up.

15 Thank you.

16 MR. LARRY HARTMAN: The next speaker is  
17 Dan Olson.

18 MR. DAN OLSON: Good morning, everybody.  
19 Dan Olson, O-L-S-O-N. Thank you for  
20 having us here. I apologize for you folks who are  
21 on the back side here.

22 Just real briefly, I am with the Laborers  
23 International Union of North America, I'm an  
24 international rep representing the laborers, which  
25 are men and women that work in the construction

1 industry in Minnesota and North Dakota. I represent  
2 over 10,500 members that are in the construction  
3 industry, many of them that are trained in pipeline  
4 work. I stand before you today in favor of the  
5 project, Line 3 replacement. And I have been a part  
6 of the process for the Sandpiper from the beginning  
7 and will follow that to the end as I intend to do  
8 here.

9 A couple just brief things that I think  
10 are important is that we have all the agencies that  
11 are requiring Enbridge to do everything that needs  
12 to be done. In the line of safety, in the line of  
13 environmental impacts.

14 One of the commissioners at one of the  
15 Sandpiper hearings brought up a good point, and  
16 along with environmental impact is the human impact.  
17 And the gentleman from Enbridge brought up what the  
18 results of this pipeline economically will do for  
19 the state of North Dakota, state of Minnesota.  
20 These communities that we're in right now, the  
21 county of Carlton, and I represent Aitkin County as  
22 well in my local labor union.

23 So with all of that, we're here to just  
24 offer what we've offered all along. And it is a  
25 skilled, trained workforce. We have over 65



1 folks just to realize that organized labor and the  
2 laborers union are ready to be a partner in this.  
3 And we are prepared to offer whatever is needed.  
4 And we appreciate Enbridge, the Department of  
5 Commerce, the EPA, the DNR, anybody else that's  
6 involved in the regulatory process, that this  
7 project go through safe, on time, on budget, with  
8 skilled construction craft people.

9 Thank you.

10 MR. LARRY HARTMAN: The next speaker is  
11 Robert Teran.

12 MR. ROBERT TERAN: Hello.

13 My name is Robert Teran, T-E-R-A-N. I'm  
14 with the International Union of Operating Engineers  
15 pipeline department, and I'm representing trained,  
16 certified heavy equipment operators that would be  
17 dispatched from local union halls if this project is  
18 approved.

19 We feel approval of this pipeline project  
20 is in the best interest of the citizens, farmers,  
21 ranchers, livestock and wildlife from any future  
22 spills or accidents that could occur from using old  
23 and dilapidated infrastructure.

24 Some of the other benefits of building  
25 the project would take some of the burden off the

1 existing -- I'm sorry. Some of the other benefits  
2 of building this project would take some of the  
3 burden of the existing roads which are already being  
4 worked to the max capacity moving commodities to and  
5 from market. We feel that by piping oil or gas via  
6 pipeline is safer than moving it over land where the  
7 citizens may be affected more.

8 Tax revenue from the pipeline would help  
9 the local economies, as would the workers spending  
10 their money, which they spend a lot of when they're  
11 out of town, in local stores, gas stations, and  
12 lodging.

13 We ask that this project be approved for  
14 the construction of the building -- we ask for the  
15 project to be approved for the construction to build  
16 the domestic infrastructure to better the future and  
17 get America less dependent on oil from conflict  
18 areas of the world that may be funding current or  
19 future enemies.

20 Thank you.

21 MR. LARRY HARTMAN: The next speaker card  
22 I have is for a Andrew Slade.

23 MR. ANDREW SLADE: Good morning.

24 My name is Andrew Slade, I'm from Duluth,  
25 Minnesota. S-L-A-D-E. I work for Minnesota

1 Environmental Partnership.

2 First I have just a couple questions and  
3 then I have just a few comments. The question is  
4 just to clarify the facts presented by Enbridge  
5 staff here.

6 First of all, there was a pointing out  
7 that the corridor coming east from Clearbrook to  
8 Superior, it's 75 percent existing utility corridor.  
9 I'd be curious, I know a fair amount of that is  
10 pipeline, some of that is pipeline, a fair amount of  
11 that is power line, and so I'd be curious just to  
12 get a percentage or a number of miles figure about  
13 how much of that new corridor is actually new green  
14 field where there has not been an existing pipeline  
15 where the new pipeline is coming in. Can someone  
16 provide that figure?

17 MR. BARRY SIMONSON: I'll address you  
18 standing up. Are you looking at mileage or are you  
19 looking at percentage of pipelines, high voltage  
20 transmission lines?

21 MR. ANDREW SLADE: Either one. How much  
22 of it is new pipeline corridor in the ground, where  
23 there's no existing pipeline and you're digging up  
24 the ground sort of for the first time.

25 MR. BARRY SIMONSON: Going east, from

1 Clearbrook to Park Rapids is around close to 90 to  
2 100 percent because there are existing Minnesota  
3 Pipe Line company pipeline, three to four, that go  
4 from Clearbrook down to the refineries down in  
5 St. Paul-Minneapolis. So they're about 100 percent.  
6 Going east, from west to east from Park Rapids to  
7 Superior, that's where the collocation is around 75  
8 percent. And those are predominantly high voltage  
9 transmission lines owned by other entities.

10 MR. ANDREW SLADE: Okay. So the major  
11 portion coming east from Park Rapids will be new,  
12 first time there's a pipeline in the ground?

13 MR. BARRY SIMONSON: Yes, that's correct.

14 MR. ANDREW SLADE: Okay. And just one  
15 more question as long as you're up. It's my  
16 understanding that the current Line 3 does not carry  
17 tar sands oil because of pressure requirements or  
18 whatever. Can you explain how much an increase in  
19 actual tar sands oil shipping you anticipate with  
20 the new Line 3? How many barrels per day?

21 MR. BARRY SIMONSON: The new Line 3, as  
22 was noted by Mr. Repka, will have the initial  
23 average annual capacity of 760,000 barrels per day.  
24 And that would restore the capacity of the original  
25 Line 3 that exists today, which is now under

1 voluntary pressure reductions by Enbridge.

2 MR. ANDREW SLADE: Right. Okay. So it  
3 would be about doubling or tripling the capacity of  
4 Line 3 with the new construction?

5 MR. BARRY SIMONSON: No, it wouldn't  
6 double or triple. What I initially indicated to you  
7 was that we've had voluntary pressure restrictions  
8 on Line 3 to 390,000 barrels per day, and this would  
9 then alleviate that, that restriction, back to the  
10 original potential operating capacity of Line 3.

11 MR. ANDREW SLADE: Okay. And then at  
12 this point Line 3 does not carry much -- it doesn't  
13 carry the tar sands oil, is that true?

14 MR. BARRY SIMONSON: Mr. Glanzer can  
15 address that question.

16 MR. JOHN GLANZER: Yeah. So right now  
17 the Line 3 is carrying predominately light crudes up  
18 to its current restriction capacity. And so what we  
19 are doing is replacing it and restoring the original  
20 capacity to the line, which gets us up to the 760.  
21 In so doing, it gives us an opportunity to rebalance  
22 the network. And it will have features such as  
23 reducing the power footprint by being able to spread  
24 the various crude grades across the various lines in  
25 the network.

1 MR. ANDREW SLADE: Okay.

2 MR. JOHN GLANZER: And whereas, of  
3 course, we're always subject to what actually gets  
4 produced and where it goes, but our expectation is  
5 that you would be running about 65 percent or so  
6 heavy crude and about 35 percent light in the new  
7 line.

8 MR. ANDREW SLADE: Okay. Okay. So a  
9 significant increase in the amount of tar sands  
10 crude. Thank you.

11 I just want to steer back to questions,  
12 and I hope I don't run into time since I have a fair  
13 amount of time to answer the questions.

14 And I just want to speak about pipeline  
15 abandonment along the Line 3 corridor. I really  
16 encourage the PUC in the scope of the CEA to look  
17 very closely at pipeline abandonment for Line 3.  
18 There's no current state law that controls pipeline  
19 abandonment and that's a real issue. Other states,  
20 other countries have pretty clear pipeline  
21 abandonment rules.

22 Line 3 has been in the ground for 50  
23 years and we don't really know -- in a sense,  
24 landowners are going to be left with the costs and  
25 the liabilities of cleanup long after Enbridge has

1 moved on. In a sense, it's a 150, 200 mile long  
2 underground storage tank and I believe it should be  
3 treated as such.

4 I believe that the pipeline, that the  
5 Line 3 pipeline should be removed from the ground.  
6 I believe the soil should be treated and tested and  
7 potentially removed so that the landowners on into  
8 the future aren't bearing the burden of contaminated  
9 soil or potentially contaminated soil. I believe  
10 the PUC should set these strict abandonment  
11 standards and also ensure that resources are in  
12 place to enforce those standards. Again, so the  
13 landowners do not have to bear the burden of having  
14 this pipeline on themselves.

15 Line 3 is the first of the six or seven  
16 pipelines in that corridor to be abandoned. There  
17 are another six -- the others will be abandoned  
18 eventually. Sixty years from now the landowners,  
19 all they may have are abandoned pipelines on their  
20 property. And if the PUC can't do the standards,  
21 it's going to be up to the Minnesota legislature to  
22 do so, and so I'd encourage the PUC to act on it.

23 So, in closing, I just want to encourage  
24 the PUC, please do not let Enbridge unload this cost  
25 of abandonment onto the private landowners along the

1 route.

2 Thank you.

3 MR. LARRY HARTMAN: The next speaker card  
4 is Steve Dilger.

5 UNIDENTIFIED: Excuse me. Could I ask  
6 people to speak into the microphones so we can all  
7 hear these comments.

8 MR. STEVE DILGER: Hello.

9 My name is Steve Dilger, S-T-E-V-E,  
10 D-I-L-G-E-R.

11 I'm here in support of the Line 3  
12 replacement. I've been to a couple of these  
13 informational meetings, you know, this week alone,  
14 and I'd like to thank the Commission for taking the  
15 time to host these meetings and to provide we, the  
16 people, with accurate information. I'd also like to  
17 thank the folks from Enbridge for answering all the  
18 questions that everyone's had, openly and honestly.

19 I work for the Minnesota Pipe Trades.  
20 I'm a member of the United Association of Plumbers,  
21 Pipefitters, Sprinkler Fitters, and HVAC  
22 Technicians. And I'm also a member of Local 539 out  
23 of Minneapolis. I'm a pipefitter by trade,  
24 pipefitter, pipe welder.

25 As a quick point of reference, I worked

1 in the Arctic up in Turtle Bay, the North Slope, for  
2 about ten years from '93 -- or '83 to '92. While I  
3 was in Alaska I got to see just exactly how oil  
4 companies work. I drilled a lot of wells, a lot of  
5 wells up there, and I'm here to tell you, speaking  
6 firsthand, that while I was in Alaska the  
7 environmentalists, they were in charge of the entire  
8 North Slope. If there was a problem they would shut  
9 us down immediately, and we shut down a \$10,000 an  
10 hour operation once to clean up a coffee spill. But  
11 it was okay. The buck stopped with the  
12 environmentalists and there was nothing that they  
13 were more concerned about.

14 As you know, there's a pipeline in  
15 Alaska, it runs through some very sensitive,  
16 environmentally sensitive areas. It runs through  
17 some very harsh conditions. The pipeline is above  
18 ground so it's exposed to those conditions.

19 While I was up there in Alaska we --  
20 they'd run the five billionth barrel of oil through  
21 that pipeline, and they call it the Great Alaska  
22 Pipeline, actually. There was no major spills while  
23 I was up there. I did, however, fly over the Exxon  
24 Valdez literally days after it had happened, and  
25 I've never seen such an incredible sight in my

1 entire life. The size of that oil spill was  
2 something that I can't even explain the words. That  
3 spill was surface transportation of oil. And I  
4 often wondered if that oil had been in a pipeline,  
5 we probably would have never heard of Valdez,  
6 Alaska. And that was 25 years ago. And if there  
7 was five billion barrels of oil gone through the  
8 pipeline in the first ten years, I can only imagine  
9 how much has gone through there now.

10 So I just have a couple of quick  
11 questions from the folks from Enbridge. First of  
12 all, just kind of expanding on what Rick Klein had  
13 asked. Has the technology advanced in the last 40  
14 years from when you put -- that pipeline was put in  
15 up there in monitoring, leak detection,  
16 construction, coating? Has that -- I mean, they  
17 haven't had the issues up there with that  
18 technology, is technology better now?

19 MR. BARRY SIMONSON: Okay. Thanks for  
20 your question. Can everyone hear me back there?  
21 Okay. I assume so.

22 In terms of technology, if you look at  
23 it, Enbridge has been operating safe pipeline  
24 transportation since 1949. And back in 1949  
25 through, say --

1 MS. TRACY SMETANA: Excuse me. Barry,  
2 could you use the mic?

3 MR. BARRY SIMONSON: To answer your  
4 question plainly, yes. Technology has been advanced  
5 in pipeline construction from materials to  
6 technologies with leak detection.

7 As Mitch alluded to earlier, pipe  
8 strength has increased over time from, say, X52 or  
9 52,000 psi to X70, which we're utilizing on the  
10 proposed Line 3. Technology such as coatings, as  
11 was mentioned, poly wrap tape, there is coal tar  
12 wrap that had been used from the '50s through the  
13 '70s and '80s, but now we're getting into technology  
14 such as fusion bonded epoxy, which is nothing new to  
15 the industry now, it has been in place for about 15  
16 years. So fusion bonded epoxy, as everyone may  
17 understand about epoxy, is it gets very hard on the  
18 coating on top of the pipe, and it is the first  
19 measure for prevention from corrosion.

20 Valves have also been something that has  
21 advanced over the years in terms of the requirements  
22 from the agencies. You know, a long time ago there  
23 weren't requirements on depth of cover, valve  
24 locations, now there are. There are requirements  
25 from not only PHMSA, but there are guidelines

1 through different agencies such as American Society  
2 of Mechanical Engineers, which we as a company  
3 adhere to. Technology in terms of  
4 telecommunications and power. All of our valves,  
5 which this is not a requirement by any agency, but  
6 all of our valves for Line 3, as well as Sandpiper,  
7 will have permanent power to them, they'll have  
8 telecommunications and they will have permanent  
9 access roads. And with that, our high-tech  
10 communication or our control center up in Edmonton  
11 is able to see in real-time the pressure upstream  
12 and downstream at those valves and they are able to  
13 remotely control those, and if there's any  
14 abnormalities in the operations they can shut those  
15 valves down automatically.

16 MR. STEVE DILGER: Okay. That's great.

17 Just one more quick question. I know I  
18 had two questions and I got one more now. The  
19 amount of oil that's between those valves, is there  
20 more oil in an oil tanker than there is between  
21 those two valves? And I know it's probably a  
22 rhetorical question, but just out of curiosity.

23 MR. BARRY SIMONSON: Well, I'm not an  
24 expert on how much oil is in a tanker, but I would  
25 assume a lot more because our valves are spaced

1 based on intelligent valve study that takes into  
2 account population centers, high-consequence areas,  
3 navigable waterways, et cetera. So it varies in  
4 length between, but based on the volumes that would  
5 be contained within a valve to a valve would be  
6 predominantly much less than a tanker.

7 MR. STEVE DILGER: Just one more  
8 question. When I was in Alaska, like I said, the  
9 environmentalists were in charge and the buck  
10 stopped with them. If they walked up on a situation  
11 and they didn't think it was safe for the  
12 environment, they had complete control. How many  
13 environmentalists does Enbridge employ, roughly, I  
14 don't need the exact number, and do they have the  
15 same kind of control?

16 I know that safety is a big thing in our  
17 industry, we take safety very seriously, we take our  
18 quality of our work very seriously, so safety and  
19 quality are big for us in the pipe trades.  
20 Environmentally, how important is it to Enbridge?

21 MR. BARRY SIMONSON: Well, I can't speak  
22 to an exact number. Mr. Turner, who is here, works  
23 in our environmental department. But I can say that  
24 safety to the general public as well as the  
25 environment is of utmost importance to Enbridge.



1 Harlan Jensen.

2 MR. HARLAN JENSEN: Hi.

3 Harlan Jensen, I'm a retired operator.  
4 J-E-N-S-E-N.

5 My question to these fellows, if I  
6 understood them right, they're going to abandon  
7 Line 3, or are you going to use it for storage or  
8 just put the pressure down and keep using it?

9 And then my other question is where is  
10 all of this pipe coming from? Is it U.S. pipe or is  
11 it Chinese or Japanese?

12 MR. MITCH REPKA: Thanks for your  
13 questions. The existing line will be permanently  
14 deactivated, which means that there will be ongoing  
15 maintenance and patrolling of that line and the  
16 corrosion control system will remain intact as it is  
17 today. So it'll be permanently deactivated, not  
18 abandoned.

19 Also, to address the steel issue, the  
20 pipe is being produced in Portland, Oregon.

21 MR. HARLAN JENSEN: All the pipe that's  
22 been unloaded already?

23 MR. MITCH REPKA: We haven't actually  
24 unloaded any pipe yet for Line 3.

25 MR. HARLAN JENSEN: Well, the Sandpiper.

1 MR. MITCH REPKA: I can't speak  
2 specifically to Sandpiper. But for Line 3 the pipe  
3 is being -- predominantly the pipe is being produced  
4 in Portland, Oregon. Barry was on the Sandpiper  
5 project and maybe he'll speak to that question.

6 MR. BARRY SIMONSON: I'll try to address  
7 your questions as best I can. Both projects, Line 3  
8 and Sandpiper, the steel that is being utilized is  
9 from North American recycled steel, predominantly in  
10 Canada, Minnesota, throughout the northern part of  
11 North America. Now, Mitch alluded to earlier, the  
12 pipe for Line 3 is actually being rolled in  
13 Portland, Oregon. So I hope that answers your  
14 question.

15 And one thing in terms of the  
16 deactivation, you talked about abandonment, and I  
17 wanted to point out just for the record, also, is  
18 that there are federal regulations through PHMSA,  
19 which is Pipeline Hazardous Material Safety  
20 Administration, which has regulations on pipeline  
21 deactivation. So there is regulation on that that  
22 we're adhering to.

23 MR. HARLAN JENSEN: But it's still going  
24 to be in place and being used, is that what you're  
25 saying?

1 MR. BARRY SIMONSON: No. The existing  
2 Line 3, once it's deactivated, all of the crude oil  
3 that's within that pipeline will be purged and it  
4 will be accounted for and placed back into the  
5 system at a different location. The line will then  
6 be cleaned and then it will also be cut and capped  
7 at all the facilities that would pump oil into  
8 Line 3.

9 And then we would have cathodic  
10 protection, which this is not a requirement by the  
11 federal code so we are going over and above what the  
12 regulations are by keeping the cathodic protection  
13 or the corrosion mechanism that we have on the line  
14 to prohibit anything that will happen with that pipe  
15 in terms of deterioration with the coatings and the  
16 pipe itself.

17 MR. HARLAN JENSEN: Okay. Thank you.

18 MR. SCOTT EK: Thanks, Barry. I just  
19 have a quick question to follow up on the  
20 deactivation of that pipeline. Now, I know it's  
21 going to be cut, cleaned out, and cathodic  
22 protection. Just to understand, will it be, you  
23 know, say, filled with a bentonite slurry or an  
24 inert gas, or is it just going to remain as an empty  
25 pipe being protected?

1 MR. BARRY SIMONSON: The plan that we  
2 have in place is to put a nitrogen blanket on it.  
3 Well, actually, a blanket full of nitrogen, which is  
4 an inert gas, on the pipeline segments once it's  
5 deactivated.

6 MR. SCOTT EK: Thanks.

7 MR. LARRY HARTMAN: The last speaker card  
8 I have is Debra, and Debra, I cannot read the last  
9 name, I'm sorry.

10 MS. DEBRA TOPPING: I'll spell it for  
11 you.

12 MR. LARRY HARTMAN: Spell it for the  
13 court reporter.

14 MS. DEBRA TOPPING: Good afternoon.

15 My name is Debra, D-E-B-R-A, Topping,  
16 T-O-P-P-I-N-G.

17 Okay. So my name, like I said, is Debra  
18 Topping. I am a Fond de Lac Band member. I am a  
19 grandma, even though I don't look like it.

20 I don't know if everybody understands the  
21 reason why the Anishinabe are here. I don't know if  
22 everybody has heard our story as to why we are here  
23 and why we are protecting the manoomin.

24 So we had come from the East Coast and it  
25 took many, many centuries for us to get here. And

1 the vision and the dream was that we need to be  
2 where the food grows on the water. So that's why we  
3 are here, is the Creator, God, has told us that's  
4 where we need to live, is where the food grows on  
5 the water.

6 So I'm here to oppose the pipeline. For  
7 my grandchildren, for your grandchildren, your  
8 grandchildren, for all of your grandchildren. Do  
9 you understand? Yeah, sorry.

10 Okay. So I have a few questions. I have  
11 the map here and I know you gave a kind of a -- an  
12 explanation as to where the shutoff valves were, all  
13 right. So I was wondering, can you actually show us  
14 where the shutoff valves are in Carlton County?  
15 Like I said, I have a map here, and a pen.

16 MR. BARRY SIMONSON: Okay. I'll just --  
17 yeah, we have map books here that we can, at break,  
18 if you want to, we can go through where the valve  
19 locations are. Mr. Repka can --

20 MS. DEBRA TOPPING: Well, I would like  
21 for everybody to hear.

22 MR. BARRY SIMONSON: Oh, that's totally  
23 fine. We can try to project it if there's time  
24 allowed, otherwise if anyone is interested, we're  
25 more than willing to share the information.

1 MS. DEBRA TOPPING: I'm willing to take  
2 that for my five minutes. So, yes, I would like to  
3 see where the valve shutoffs are.

4 MR. BARRY SIMONSON: All I'm saying is it  
5 might take some time to get everything up on the  
6 screen and the value of time. We're more than  
7 willing to show everything, it's just a matter of  
8 getting it up on the screen in front of everybody.

9 MS. DEBRA TOPPING: Can we wait, then?

10 MR. BARRY SIMONSON: If we can.

11 MS. JAMIE MACALISTER: What I would like  
12 to recommend, then, is if we have any other  
13 speakers, questions that would like to be answered  
14 while Enbridge is getting that loaded, we could do  
15 that.

16 MS. DEBRA TOPPING: I have other  
17 questions, also.

18 MS. JAMIE MACALISTER: Okay.

19 MS. DEBRA TOPPING: But, yeah,  
20 absolutely. Sorry, excuse me.

21 MS. JAMIE MACALISTER: Is there anyone  
22 else that would like to ask any questions or provide  
23 comments before we proceed?

24 Okay. Go ahead.

25 MS. DEBRA TOPPING: Oh. With my

1 questions?

2 MS. JAMIE MACALISTER: Yes.

3 MS. DEBRA TOPPING: Thank you. Sorry.

4 Also, I was wondering how many anomalies  
5 have there been to date? And you talked about the  
6 remote controls, and who has those? At home I'm  
7 kind of in charge of the remote controls.

8 MR. BARRY SIMONSON: Okay. I'm getting a  
9 feedback here. To answer your first question, in  
10 terms of the number of anomalies, I'm assuming  
11 you're talking about the existing Line 3, is that  
12 correct?

13 MS. DEBRA TOPPING: Correct.

14 MR. BARRY SIMONSON: Enbridge has an  
15 ongoing integrity and maintenance program for Line 3  
16 as well as the other pipelines that we own and  
17 operate. As a part of that integrity management  
18 program, we do have crews that go out and actually  
19 do integrity digs if they do find anomalies. Now,  
20 the number of anomalies I can't tell you exactly,  
21 but I can tell you that in our application we've  
22 noted that within the next 15 years we should have  
23 or plan to have about 4,000 integrity digs on --

24 MS. DEBRA TOPPING: Excuse me. Please  
25 don't waste my time on explaining other things in

1 the next 15 years. I had asked the question, so  
2 just answer the question.

3 MR. BARRY SIMONSON: And I did, I said I  
4 don't know the exact number of anomalies.

5 MS. DEBRA TOPPING: So there's not a  
6 written quarterly, monthly report that says that  
7 there are so many anomalies to date? You don't have  
8 that?

9 MR. BARRY SIMONSON: With all due  
10 respect, I do not have that information. Our  
11 pipeline integrity group, who monitors our  
12 pipelines, would have that information.

13 MS. DEBRA TOPPING: So when will I get  
14 that information?

15 MR. BARRY SIMONSON: I don't think that  
16 information is public information. So I can take  
17 that away and answer that later on today, but --

18 MS. DEBRA TOPPING: So what you just  
19 said, so what's not public information?

20 MR. BARRY SIMONSON: Well, what I can  
21 tell you is that we have an ongoing integrity  
22 management program where we do access the conditions  
23 of our pipelines based on that integrity management  
24 plan. It's based on the pipe, the pipeline  
25 inspection runs that are done with high resolution

1 tools and that data comes back to our integrity  
2 group --

3 MS. DEBRA TOPPING: That's not the  
4 question. The question was why is it not public  
5 information?

6 MR. BARRY SIMONSON: I can't answer that  
7 question.

8 MS. DEBRA TOPPING: Who can?

9 MR. ARSHIA JAVAHERIAN: I can answer that  
10 question.

11 MS. DEBRA TOPPING: Thank you.

12 MR. ARSHIA JAVAHERIAN: Sure. Why we  
13 can't provide some of that information, some of the  
14 information --

15 MS. DEBRA TOPPING: You are?

16 MR. ARSHIA JAVAHERIAN: My name is Arshia  
17 Javaherian, I'm an in-house attorney with Enbridge.

18 And some of that information can be  
19 provided, some of that information cannot. Part of  
20 the information is critical energy infrastructure  
21 information, it's information that the Federal  
22 Energy Regulatory Commission and other federal  
23 statutes require us to keep confidential to protect  
24 the infrastructure in the United States. So some of  
25 that information can't be provided.

1           As far as our integrity work goes, you  
2 know, we don't provide all that information  
3 publicly. We can provide some of it, we provide  
4 that to our federal agencies that have oversight, as  
5 well as state agencies. Here in Minnesota it is the  
6 Minnesota Office of Pipeline Safety. We provide  
7 them some of that information, and right now we  
8 don't have that information, and there's --

9           MS. DEBRA TOPPING: So that's not readily  
10 available?

11           MR. ARSHIA JAVAHERIAN: It's not with us  
12 today. Readily available would mean -- it's not at  
13 my fingertips, no. But it's in our systems, we have  
14 that information, and we evaluate it, and if it  
15 meets the criteria of critical energy infrastructure  
16 then we would have to keep it confidential. If it  
17 does not, then we can make that available to the  
18 public. So I'd be happy to review that and put it  
19 into the docket here.

20           MS. DEBRA TOPPING: Thank you.

21           So the question was how many anomalies  
22 are to date, and the answer was we cannot tell you?

23           MR. ARSHIA JAVAHERIAN: Well, let me --  
24 hold on one second. So how many -- you want to know  
25 how many times we've done an integrity

1 investigation?

2 MS. DEBRA TOPPING: I want to know how  
3 many anomalies to date.

4 MR. ARSHIA JAVAHERIAN: From 1968 to  
5 2015, how many times have we -- and by anomalies,  
6 let's define anomalies.

7 MS. DEBRA TOPPING: No, you define  
8 anomalies, because those are your words.

9 MR. ARSHIA JAVAHERIAN: Right. So  
10 anomaly is just a word that we use to capture the  
11 different types of features such as corrosion or a  
12 stress fracture, anything like that, you know, just  
13 a catch-all word for something that is not supposed  
14 to be there because we want to keep the pipeline as  
15 integral as it can be so that it is safe.

16 So integrity management looks for  
17 anomalies, anomalies are things that we don't want  
18 there. We then evaluate the anomalies and then we  
19 schedule them to be investigated. And we  
20 investigate them through integrity digs where we dig  
21 up that section, we evaluate it, and then we make  
22 repairs as necessary. I don't have the number that  
23 have been performed.

24 MS. DEBRA TOPPING: Approximate number?  
25 Do we have, like, is it more than one, less than

1 four? Is there, you know, I don't know, I have no  
2 clue.

3 MR. ARSHIA JAVAHERIAN: Do we have a  
4 general sense, Mark or John? Since 1968, I imagine  
5 it's going to be hundreds, but I don't think we have  
6 a general sense of that. But that's -- I don't  
7 think we have a problem sharing that information.

8 MS. DEBRA TOPPING: Do you know like how  
9 many a year?

10 MR. ARSHIA JAVAHERIAN: I can tell you  
11 right now we have 4,000 scheduled for the next 15  
12 years. And that's approximately 13 per mile in  
13 Minnesota. So that I know.

14 MR. JOHN PECHIN: I can provide a little  
15 insight, I guess. My name is John Pechin, I work in  
16 operations.

17 MS. DEBRA TOPPING: For Enbridge?

18 MR. JOHN PECHIN: For Enbridge, yes. If  
19 I can use this one, I guess.

20 Hello? A little better?

21 Okay. The number of digs in 2014 was 64  
22 on Line 3. In 2015, it's a little dated, but we  
23 completed 48 the other day of 86 that were expected.

24 MS. DEBRA TOPPING: So those are  
25 anomalies for these -- for 2014 and 2015?

1 MR. JOHN PECHIN: That's correct.

2 MS. DEBRA TOPPING: Thank you.

3 MR. JOHN PECHIN: You're welcome.

4 MS. DEBRA TOPPING: I didn't think that  
5 was that hard. But, okay.

6 Again, I'm still waiting on the picture  
7 as to show me where those shutoff valves are.

8 MS. JAMIE MACALISTER: I can show you.  
9 Is there someone here that would like to find the  
10 valves on the maps, and I will show you a hard copy.

11 MS. DEBRA TOPPING: Thank you. Thank  
12 you.

13 MR. JOHN MCKAY: Are you looking for  
14 valves only in Carlton County or along the whole  
15 route?

16 MS. DEBRA TOPPING: I would prefer the  
17 whole route, but since we are in Carlton County,  
18 let's do that.

19 (Discussion held off the record.)

20 MS. TRACY SMETANA: Okay. We're going to  
21 go back on the record now. We do have a map up so  
22 we can discuss the valve locations as requested.

23 Thank you.

24 MR. MITCH REPKA: Okay. So in response  
25 to the question regarding valve locations, they are

1 indicated on the map here. You can see in Carlton  
2 County -- if my pointer will work, it doesn't appear  
3 that it is. But there are two valves where the hand  
4 is there near Highway 1, that location, and then  
5 also to the west at our proposed Cromwell pump  
6 station.

7 So did you have any further questions?

8 MS. JAMIE MACALISTER: Can you tell us  
9 what the distance is between those two and then the  
10 next valve west?

11 MR. MITCH REPKA: Sure. So the  
12 approximate distance between the two valves in  
13 Carlton County is about 26 miles. And then the  
14 valves upstream of that, the next one to the west is  
15 approximately 21 miles.

16 MS. DEBRA TOPPING: And then there's  
17 quite a few right there along the Mississippi?

18 MR. MITCH REPKA: Correct.

19 MS. DEBRA TOPPING: Thank you.

20 So now I just wanted everybody to be able  
21 to see where all the valves are.

22 And what is the response time? If I'm  
23 tooling along, do-do-do-do, minding my own business,  
24 trying to wild rice here and I see an oil spill. So  
25 once -- moment I see an oil spill and let's say I

1 am sitting on Moose Horn River, how long will it  
2 take for that?

3 MR. MARK WILLOUGHBY: Sure. Is that one  
4 working?

5 Hello. Mark Willoughby.

6 Our goal for emergency response time is  
7 for our -- for Enbridge people to be there within an  
8 hour. And in this area we actually do have a high  
9 concentration of Enbridge employees. We have the  
10 Superior pipeline maintenance crew not too far from  
11 here.

12 Enbridge is one of the few pipeline  
13 companies, I should point out, that have full-time  
14 trained pipeline maintenance staff that are trained  
15 for emergency response.

16 MS. DEBRA TOPPING: Thank you.

17 Can you explain a little bit more about  
18 what the nitrogen blanket is?

19 MR. MITCH REPKA: Sure. So I assume  
20 you're referring to the deactivated line?

21 MS. DEBRA TOPPING: Correct.

22 MR. MITCH REPKA: So through that  
23 process, as Barry mentioned earlier, we push the  
24 existing product out with an inert gas, nitrogen in  
25 this case, and then we also do a cleaning run as

1 well to ensure the pipeline is clean and that's  
2 pushed with nitrogen as well. So the line is left  
3 with nitrogen, then, in the line.

4 MS. JAMIE MACALISTER: Is the question  
5 what the function of the nitrogen blanket is?

6 MS. DEBRA TOPPING: Yes.

7 MR. MITCH REPKA: So nitrogen is an inert  
8 gas. It doesn't react like oxygen would, therefore  
9 you don't have a combustible mixture, it's  
10 nonexplosive.

11 MS. DEBRA TOPPING: So it's a fluid, so  
12 you would have a fluid inside there or a gas.

13 MR. MITCH REPKA: No, sorry, it is a gas,  
14 yes.

15 MS. DEBRA TOPPING: Okay. So somebody  
16 punctures it, it'll be all right? I don't  
17 understand that.

18 MR. MITCH REPKA: So in the end state,  
19 once the line is deactivated, there will be zero  
20 pressure, but 100 percent nitrogen, if that makes  
21 sense. So there's no pressure left on the line, but  
22 it is filled with nitrogen.

23 MS. DEBRA TOPPING: Why have you chosen  
24 not to take that pipe out?

25 MR. MITCH REPKA: We actually looked at

1           it in our application, it is detailed in there as to  
2           all the various factors we looked at. And, you  
3           know, one of the key things, as mentioned earlier,  
4           it's a congested corridor through there. There are  
5           six pipes south of Clearbrook and seven north, and  
6           so Line 3 is in the middle of that, and generally in  
7           the middle of that corridor, which makes it very  
8           difficult for access.

9                       For all the 364 miles in the U.S., it's  
10           very difficult for us to safely access that pipeline  
11           for that entire route. There's also a number of  
12           crossovers where it does cross other pipelines. So  
13           I think there are, you know, about 32 of those  
14           locations where the line actually crosses the other  
15           ones so, again, additional safety risk.

16                      Also, in order to do that would require  
17           additional temporary work space so the landowner  
18           impacts and the environmental impacts are also  
19           increased with that method.

20                      MS. DEBRA TOPPING: Thank you. Can  
21           somebody tell me what the gross income for Enbridge  
22           is for the last quarter?

23                      MR. MITCH REPKA: I'll just say that's  
24           publicly available information. We don't have it  
25           necessarily offhand today, but it is available. Our

1           earning statements are public knowledge, so that  
2           information is available, I just don't have the  
3           number today. Sorry.

4                       MS. DEBRA TOPPING: Can somebody Google  
5           that? I know I did and my phone is dead, but I know  
6           it just takes a second to Google that.

7                       And so everybody's talking about jobs,  
8           jobs, jobs, jobs, jobs, jobs, jobs. Is that not a  
9           good job to have, is to get rid of the pipeline that  
10          is going to be abandoned, or deactivated?

11                      MS. JAMIE MACALISTER: Technically,  
12          deactivated.

13                      MS. DEBRA TOPPING: So I clarified that,  
14          I said it was deactivated.

15                      MR. ANDREW SLADE: I have got it. The  
16          second quarter profits for Enbridge were \$505  
17          million. That's net profit, though.

18                      MS. DEBRA TOPPING: Thank you. So \$505  
19          million in three months. And we don't want to have  
20          any other jobs to get rid of the deactivated  
21          pipeline because, in his own words, he said that  
22          they are already having a hard time with the safety  
23          issues.

24                      So, with that, miigwech for your time.  
25          Thank you.

1 MR. LARRY HARTMAN: I have one more  
2 speaker card of Vicki Andrews.

3 MS. VICKI ANDREWS: Hello.

4 My name is Vicki Andrews, A-N-D-R-E-W-S.  
5 My first name is Vicki, V-I-C-K-I.

6 And I didn't come here prepared to speak  
7 today, but after listening and hearing kind of the  
8 pro Enbridge sentiment that I've heard so far I just  
9 had to stand up and speak.

10 I am from Grand Rapids so I had to drive  
11 to get here. But we have a number of pipelines  
12 going through our community. And we have had a  
13 couple of leaks there, a couple of very big leaks,  
14 one in I think 1991 and one in 2002. So they  
15 weren't very recent, I'm sure the answer would be  
16 that they have been so improved now that this  
17 wouldn't happen again, but I don't know that.

18 The other thing we do have is the pipe 3,  
19 pipeline 3 that's going to be abandoned. And I do  
20 have concerns about that other than what have been  
21 mentioned. I have heard that abandoned or  
22 deactivated pipelines laying in the ground can shift  
23 and that can change the water table and where the  
24 water runs underground.

25 Also, I have heard that they can cause

1 sinkholes, which is certainly something we don't  
2 want in the area. And there are some other  
3 concerns, too, but I'm not an expert on that, I just  
4 think it needs a little bit more investigation.

5 What I do want to say briefly is that I  
6 want to speak out for the children and  
7 grandchildren, my children, my grandchildren, and  
8 all the children and grandchildren in the world.  
9 Because what we are doing with our dependence on oil  
10 and gas and other fossil fuels is destroying the  
11 earth as a livable planet. And I think most people,  
12 if they really look at the scientific evidence,  
13 would realize that and know that terrible things are  
14 going to happen that are going to create terrible,  
15 terrible tragedies and trauma for the people in the  
16 future.

17 And I want us to think more about moving  
18 from fossil fuels to renewable energy, to wind and  
19 solar power. We need to do that and we need to put  
20 our money into that, we need to put our jobs into  
21 that. I know jobs are really important, I've had a  
22 couple family members who have worked for Enbridge,  
23 and they've needed the jobs and so they've taken  
24 them and they've kind of pushed their concerns about  
25 the future of the environment to the back of their

1 minds, and I'm sure most people do that. But we  
2 need to look at the possibilities and the jobs  
3 available in building more renewable energy,  
4 maintaining it, installing it. And it may be a  
5 trade-off and maybe people won't make quite as much  
6 money, certainly Enbridge won't make as much money,  
7 and the oil companies won't make as much money. But  
8 for future generations, we have to look at that very  
9 seriously.

10 Thank you.

11 MR. LARRY HARTMAN: I have another  
12 speaker card, Cheryl Lawrence.

13 MS. CHERYL LAWRENCE: C-H-E-R-Y-L,  
14 L-A-W-R-E-N-C-E.

15 MS. JAMIE MACALISTER: Can you get a  
16 little closer to the mic?

17 MS. CHERYL LAWRENCE: Okay. I had a  
18 question tailing on that question and on the whole  
19 business before.

20 I am really concerned about leaving that  
21 pipeline 3 in the ground. It could float. It could  
22 subside. It could -- whether you think that it's  
23 going to corrode or not, in 25 more years or in 35  
24 more years that whole pipeline area could go into  
25 sinkholes. It happens all the time. And with the

1 water, when we get a flood, that makes it happen  
2 more. When we get unusual dry spells and then a  
3 flood, it happens even more.

4 And I think maybe you need to think about  
5 filling it with cement or filling it with sand or  
6 filling it with something so that nobody's car goes  
7 down in that spot, nobody loses a child in it.

8 I don't think your abandonment is going  
9 to be a good thing. You have to do more than just  
10 abandon it. You have to make it safe, not just for  
11 tomorrow, but it has to be safe for my grandchildren  
12 and yours.

13 MS. JAMIE MACALISTER: Do we have anyone  
14 else that would like to speak? Or have questions?

15 All right. Well, in that case, I would  
16 like to end this meeting, this morning's meeting.  
17 Again, if you have comments that you would like to  
18 submit, you're welcome to send them to me or leave  
19 them when you leave, leave them in the box out  
20 front. And please make sure that you get your  
21 comments to us by September 30th. And we will be  
22 here at 6:00 p.m. if anyone cares to come back.

23 Thank you.

24 (Proceedings concluded .)

25