



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

March 20, 2015

The Honorable Jeanne M. Cochran
Minnesota Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
St. Paul, MN 55164-0620

RE: In the Matter of the Application of the Minnesota Pipe Line Company, LLC for a Certificate of Need for the Minnesota Pipe Line Reliability Project to Increase Pumping Capacity on the Line 4 Crude Oil Pipeline in Hubbard, Wadena, Morrison, Meeker, McLeod, and Scott Counties
Minnesota Public Utilities Commission (PUC) Docket #PL-5/CN-14-320
Office of Administration Hearing Docket # 68-2500-31889

Subject: Minnesota Pollution Control Agency Public Comments and Response to: A Comparative Environmental Review of the Proposed Minnesota Pipe Line Reliability Project and the Alternatives Identified in the Certificate of Need Application

Dear Judge Cochran:

Thank you for the opportunity to provide comments on the proposed project and its environmental and human impacts. The Minnesota Pollution Control Agency (MPCA) comments also address "A Comparative Environmental Review of the Proposed Minnesota Pipe Line Reliability Project and the Alternatives Identified in the Certificate of Need Application" (CER) prepared by the Department of Commerce.

For this project, Minnesota Pipe Line Company, LLC (MPL) is proposing to increase the capacity of MPL Line 4 from 165,000 barrels per day (bpd) to 350,000 bpd, install six new pumping stations along the route in the counties of Hubbard, Wadena, Morrison, Meeker, McLeod and Scott, and upgrade two others in the counties of Clearwater and Stearns in order to increase the pumping capacity of the 305 mile-long MPL Line 4 that runs from Clearwater County to the refineries in Dakota County.

The MPCA offers comments in the following areas:

1. Project Need;
2. Clean Water Act Section 401 Water Quality Certification; and
3. Construction Stormwater.

Project Need

The CER states, in "The Proposed Project," (page 2) that the intent of the MPL Line 4 project is to "provide a reliable volume of transported product through planned or unplanned outages on the other three MPL pipelines." Several times, the CER states that MPL is proposing the project to address the potential of increased demand. It is understood that much of this information is currently classified as "trade secret;" however, the MPCA requests that MPL provide more data supporting where demand increases are anticipated. Environmental effects of light crude are different than those of heavy crude, and it would be helpful to agencies that are responsible for responding to spills to know the likelihood of a significant light crude oil release as opposed to a heavy crude oil release.

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The MPCA also requests clarification concerning the 60,000 bpd of redundant light crude supply that MPL proposes to supply to its Clearbrook terminal via the proposed Enbridge Sandpiper pipe line project. If the line that currently carries light crude to the Flint Hills Resources terminal (Flint Hills) is shut down, then what are the scenarios that would be considered to continue the flow of light crude to Flint Hills? For example, would another 16 inch line be shut down and converted to light crude, or would MPL Line 4 be converted to light crude to make up for oil transport lost during shut down?

Clean Water Act Section 401 Water Quality Certification

According to Appendix A, the maps identify Minnesota Impaired Waters List (303d) Waterways and Waterbodies near the proposed pumping station locations. The CER should have information on minimizing and mitigating the possible impacts these facilities may have on the surrounding waters of the state. A minimum replacement ratio is 1:1. However, the mitigation of these wetlands/waters should take place, preferably in the same watershed at a replacement ratio equivalent to or greater than the quality of the wetland impacted.

Construction Stormwater

The CER is largely void of any assessment related to the potential for environmental impacts of the various alternatives related to stormwater. For the pumping station alternative, there is no evaluation of the potential for stormwater impacts related to the construction of the pumping stations. The following should be required or made a condition of any Certificate of Need finding here, and provided as additional information necessary to the CER: the Proposer must evaluate the need for coverage under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit; evaluate the types of erosion and sediment control Best Management Practices (BMPs) that may be needed; and evaluate the need for permanent stormwater treatment BMPs at the pumping stations.

The MPCA appreciates the opportunity to provide these comments. Please be aware that this letter does not constitute approval by the MPCA of any elements of the MPL Line 4 project. If you have any questions concerning MPCA's comments, please contact me at 651-757-2722.

Sincerely,



Bill Sierks, Manager
Environment & Energy Section
Resource Management & Assistance Division

BS/BT:ld

cc: Jamie Schrenzel, MDNR St. Paul
David Siebert, WDNR
Jeff Olson, U.S. Army Corp of Engineers
David Bell, MDH
Reed Larson, MPCA Brainerd
Dan Card, MPCA St. Paul
Doreen Fier-Tucker, MPCA St. Paul
Bill Wilde, MPCA St. Paul
Scott Lucas, MPCA Brainerd
Scott Fox, MPCA St. Paul
Patrice Jensen, MPCA St. Paul.