

EERA SAMPLE ROUTE PERMIT
JUNE 24, 2022
STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

ROUTE PERMIT
FOR
CONSTRUCTION OF A LARGE PETROLEUM PIPELINE

AND

ASSOCIATED FACILITIES
IN
OLMSTED COUNTY

ISSUED TO

BP MIDWEST PRODUCTS PIPELINE HOLDINGS LLC

PUC DOCKET NO. IP-7057/PPL-21-266

In accordance with the requirements of Minnesota Statutes Chapter 216G and Minnesota Rules Chapter 7852 this route permit is hereby issued to:

BP MIDWEST PRODUCTS PIPELINES HOLDINGS LLC

BP Midwest Product Pipelines Holdings LLC is authorized by this route permit to construct approximately 10,171-feet of 10.750-inch-outside-diameter steel pipe, petroleum products transmission pipeline and associated facilities between existing Mileposts 342.50 and 348.60.

The pipeline and associated facilities shall be built within the route identified in this permit and as portrayed on the official route maps, and in compliance with the conditions specified in this permit.

Approved and adopted this ____ day of ____, 2022

BY ORDER OF THE COMMISSION

William Seuffert,
Executive Secretary

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Route Map(s)

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ATTACHMENTS

Complaint Procedures for Permitted Energy Facilities

Compliance Filing Procedures for Permitted Energy Facilities

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1.0 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to BP Midwest Product Pipelines Holding LLC (“BPMW” or “Permittee”) pursuant to Minnesota Statutes Chapter 216G and Minnesota Rules Chapter 7852. This permit authorizes the permittee to construct the Dubuque-Twin Cities Pipeline Relocation Project (“Project”), a pipeline of approximately 10,171-feet of 10.750-inch-outside-diameter steel pipe, high pressure natural petroleum products transmission pipeline and associated facilities between existing Mileposts 347.50 and 348.60 within High Forest Township, as identified in the attached route permit maps, hereby incorporated into this document.

1.1 Pre-emption

Pursuant to Minn. Stat. § 216G.02, Subd. 4, this permit shall be the sole route approval required to be obtained by the Permittee for construction of the pipeline and associated facilities. This permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose government.

1.2 Definitions

“Construction,” as defined in Minn. R. 7852.0100 Subp. 11 “means any clearing of land, excavation, or other action for the purpose of constructing new pipeline that would adversely affect the natural environment of a pipeline route. Construction does not include changes needed for use of a route for purposes of maintenance, or replacement of an existing pipeline and associated facilities within existing rights-of-way, or for the minor relocation of less than three-quarters of a mile of an existing pipeline or for securing survey or geological data, including necessary borings to ascertain soil conditions.”

“Associated facilities,” as defined in Minn. R. 7852.0100 Subp. 7 “means all parts of those physical facilities through which hazardous liquids or gas moves in transportation, including but not limited to pipe, valves, and other appurtenances connected or attached to pipe, plumbing and compressor units, fabricated assemblies associated with pumping and compressor units, metering and delivery stations, regulations stations, holders, breakout tanks, fabricated assemblies, cathodic protection equipment, telemetering equipment, and communication instrumentation located on the right-of-way.”

2.0 PROJECT DESCRIPTION

The Project is comprised is comprised of approximately 10,171-feet of 10.750-inch-outside diameter steel pipe (0.365-inch wall thickness for pipe and 0.500 inch wall thickness for road

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crossings) anticipated to be operated at nominal pressure of 515 pounds per square inch gauge (psig), with a maximum allowable operating pressure of (MAOP) 1,303 psig.

2.1 Associated Facilities

No major above-ground facilities are required to construct the project. Pipeline markers will be installed at road crossings in accordance with applicable federal and state regulations. Test stations will be installed at road crossings to monitor cathodic protection. Alternating current mitigation and other cathodic protection facilities may be installed at a future date as warranted by a cathodic protection study to be conducted after construction. Cathodic protection and alternating current mitigation may include non-conductive ground mats and grounding rods. Cathodic protection for the pipeline will be provided by sacrificial anodes buried along the route.

2.2 Project Location

The route is located outside the Rochester International Airport. It will not be located on airport property. The Project is in the Southwest ¼ of Section 16, and Northwest, Southwest, and Southeast ¼s of Section 21, Township 105N, Range 14W in High Forest Township in Olmsted County.

2.3 Anticipated Project Construction Schedule

The Project is anticipated to be built in the 2023 construction season with a planned recommissioning date of third quarter 2023. Construction and improvement must begin within four years after issuance of the permit (Minnesota Rule 7852.3300).

3.0 DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the route maps attached to this permit. The route is generally described as follows:

The pipeline relocation will take place between MP 347.50 and MP 348.60 within High Forest Township. From its departure and tie-in point on the southern end, the relocated pipeline will travel northwest for approximately 750 feet adjacent to the existing pipeline and then turn west for approximately 2,210 feet, crossing 31st Avenue SW, then turn southwest for approximately 750 feet, then turn northwest for approximately 1,800 feet, crossing 95th Street SW, then turn north for approximately 260 feet, then turn northeast for approximately 1,650 feet, and then turn north for approximately 1,000 feet crossing 90th Street SW, and then turn northeast for approximately 1,750 feet where it will reconnect with the existing pipeline. The relocated pipeline will remain in the Township, Range and Sections detailed above. The engineering plans are provided in the route permit application (Exhibit B).

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The designated route has a width of 200 feet as shown on the attached official route map(s).

The identified route widths will provide the Permittee with flexibility for minor adjustments of the specific alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (i.e., permanent and maintained 50-foot-wide right-of-way) will be located within this designated route unless otherwise authorized by the Commission.

Any alignment modifications arising from site-specific constraints (e.g. sinkholes and infrastructure) that would result in right-of-way placement outside of this designated route shall be located to have the same or less impacts relative to the criteria in Minn. R. 7852.1900 as the alignment identified in this permit and be specifically identified in and approved as a permit amendment pursuant to Minn. R. 7852.3400.

3.1 Permanent Right-of-Way

This Permit authorizes the Permittee to obtain a new permanent right-of-way for the pipeline up to 50-feet in width for a length of up to 10,200-feet.

The right-of-way will generally conform to this proposed alignment, except as otherwise provided by this permit. Any alignment modification within this designated route shall be located to have the same or less impacts relative to the criteria in Minn. R. 7852.1900 as this alignment identified in this permit.

3.2 Temporary Construction Workspace (Right-of-Way)

Construction will require a 100-foot construction workspace, which includes the 50-foot-wide permanent right-of-way (11.6 acres), plus 50-feet of temporary right-of-way construction workspace (11.6 acres).

Additional temporary workspace is required at the southern tie-in, which will require an area of disturbance of 275 feet by 283 feet, for an estimated 1.79 acres, and a similar area around the northern tie-in of 275 feet by 283 feet for an estimated 1.79 acres. Up to 5 additional acres are necessary for the contractor pipe lay down area south of 90th Street SW.

The Permittee shall limit temporary right-of-way to construction access needs required outside of the authorized permanent rights-of-way. Temporary right-of-way shall be selected to limit the removal and impacts to vegetation.

The Permittee may obtain extra temporary workspace that is needed at locations where the project will cross features such as waterbodies, roads, railroads, side slopes, other special

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circumstances and where horizontal directional drilling will be utilized. Extra temporary workspace will be allowed for construction activities including, but not limited to, staging equipment and stockpiling spoil material to facilitate construction of the pipeline. These dimensions will vary depending on actual site-specific conditions. Extra temporary workspace that may be required outside the approved Route Width are identified on the maps attached to this Route Permit.

3.3 Right-of-Way Conformance

This permit anticipates that the right-of-way will generally conform to the alignment identified on the attached route permit maps unless changes are requested by individual landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or are otherwise provided for by this permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7852.1900, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile required by this permit.

3.4 State and Federal Minimum Depth of Cover Requirements

Minn. Stat. § 216G.07, Subd. 1, requires the pipeline trench to be excavated to a depth that sufficiently allows for at least 54 inches (4.5 feet) of backfill from ground surface to the top of pipeline in all areas where the pipeline crosses the right-of-way of any public drainage facility or any county, town, or municipal street or highway and where the pipeline crosses agricultural land. Where the pipeline crosses the right-of-way of any drainage ditch the pipeline shall be installed with a minimum level cover of not less than 54 inches (4.5 feet) below the authorized depth of the ditch, unless waived in the manner provided in Minn. Stat. § 216G.07, Subd. 2 and 3. In agricultural land, the Permittee may seek a depth requirement waiver from the affected landowners to install the pipeline at the same depth as required by U.S. Department of Transportation regulation 49 C.F.R. 192.327.

In all cases, the pipeline trench shall be excavated to a depth that sufficiently allows for at least 36 inches (3 feet) of backfill from ground surface to the top of pipeline.

4.0 PRE-CONSTRUCTION COMPLIANCE

The following identifies Permittee pre-construction filing requirements. Submissions must be made by electronic filing (eFiling).

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4.1 Permit Distribution to Local Governments and Residents

The Permittee shall, within 10 days of receipt of the pipeline routing permit from the Commission, send a copy of the permit to the office of each regional development commission of a development region, soil and water conservation district, watershed district, watershed management district, office of the county auditor, and the clerk of each city and township crossed by the designated route.

Within 30 days of permit issuance, the Permittee shall send a printed copy of the permit and the complaint procedures to all affected landowners. In no case shall the affected landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the designated pipeline route authorized by this permit.

The Permittee shall provide all affected landowners with information concerning, at a minimum, the initial survey, right-of-way acquisition, right-of-way preparation, construction, and restoration.

As provided by applicable laws and regulations the Permittee shall provide educational materials about the project and any restrictions or dangers associated with the project to affected landowners within the route whose land is crossed by the pipeline and, upon request, to any interested persons.

4.2 Notification

The Permittee shall notify landowners or their designee at least 14 days in advance but not greater than 60 days in advance of entering the property.

4.3 Field Representative

At least 14 days prior to the start of construction and continuously throughout construction and completion of restoration of the areas affected by construction, the Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this Permit during construction of the project. This person (or a designee) shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to affected landowners,

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residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission by eFiling as well as posting to a project website maintained by the Permittee and by providing a telephone number to affected landowners, residents, local government units and other interested persons that provides current contact information for the field representative.

4.4 Agricultural Monitor and County Inspector Notification Requirements

The Permittee shall at least 14 days prior to the start of construction provide notice to all landowners affected by construction with the name, telephone number and email address of the Agricultural Monitor and County inspector designated by the County, if appointed.

4.5 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. The list of the required permits included in the permit application must be updated as necessary. The Permittee shall submit a copy of such permits to the Commission upon request.

4.6 Employee Training and Education of Permit Terms and Conditions

Prior to any construction, the Permittee shall file an affirmative statement with the Commission, certified by a senior company official, that all Permittee personnel, environmental inspectors, and contractor personnel will be informed of the environmental inspector's authority and have been or will be trained on the implementation of environmental mitigation measures in this permit that are appropriate to their jobs before becoming involved with construction and restoration activities associated with the project.

5.0 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during pipeline right-of-way preparation, construction, cleanup, and restoration over the life of this permit.

5.1 Construction Environmental Control Plan

The Permittee shall develop a Construction Environmental Control Plan (CECP) that includes all environmental control plans and special conditions imposed by permits or licenses issued by state or federal agencies related to agency-managed resources. Plans within the CECP shall include, but not be limited to, an Agricultural Impact Mitigation Plan, a Vegetation Management

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Plan, and a Stormwater Pollution Prevention Plan. The CECP shall be filed with the Commission as part of the initial Plan and Profile for each segment of the Project. The CECP must include the following items.

- (a) a detailed listing of environmental control plans or other special conditions imposed by permits or licenses issued by state or federal agencies relating to the Project;
- (b) identification of, and contact information for, an Environmental Monitor to oversee the construction process and monitor compliance with features of the CECP;
- (c) a description of the process for reporting on the status of project construction to the Commission; and
- (d) a description of construction management methods, including the tracking of required plan or permit inspection forms.

The Permittee shall comply with all additional conditions that may be added because of permits issued by other agencies or governmental units.

5.2 Agricultural Impact Mitigation Plan

The Permittee shall comply with the Agricultural Impact Mitigation Plan (AIMP) prepared for this Project and approved by the Minnesota Department of Agriculture. The Permittee shall distribute the AIMP with the route permit to all affected landowners. The obligation to comply with the AIMP as a condition of this permit shall expire with the termination of Commission jurisdiction over this permit as prescribed by Minn. R. 7852.3900, unless otherwise specified in the AIMP. The Minnesota Department of Agriculture must approve of any amendments to the AIMP. The Permittee shall file the amended AIMP with the Commission within 10 days of Minnesota Department of Agriculture approval.

5.3 Vegetation Management Plan

The Permittee must develop a Vegetation Management Plan (VMP). The purpose of the VMP shall be to identify measures to minimize the disturbance and removal of vegetation for the Project, prevent the introduction of noxious weeds and invasive species, and re-vegetate disturbed non-cropland areas with appropriate native species in cooperation with landowners and state, federal, and local resource agencies, in such a way that does not negatively impact the safe and reliable operation of the Project.

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5.4 Site Sediment and Erosion Control

The Permittee shall develop a Soil Erosion and Sediment Control Plan prior to construction and submit the Plan to the Commission at least 14 days prior to the start of construction. This Plan may be the same as the Storm Water Pollution Prevention Plan (SWPPP) submitted to the MPCA as part of the National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater Permit application provided it identifies the information in the following paragraph.

The Soil Erosion and Sediment Control Plan shall address what types of erosion control measures will be implemented during each Project phase and shall at a minimum identify: plans for grading, construction, and restoration of the areas affected by construction activities; necessary soil information; detailed design features to maintain downstream water quality; a comprehensive re-vegetation plan to maintain and ensure adequate erosion control and slope stability and to restore the site after temporary activities; and measures to minimize the area of surface disturbance.

Other practices shall include containing excavated material, protecting exposed soil, and stabilizing restored material and removal of silt fences or barriers when the area is stabilized. The plan shall identify methods for disposal or storage of excavated material. Erosion and sedimentation control measures shall be implemented prior to construction and maintained until restoration activities are completed for each phase of the Project. All areas disturbed during construction shall be returned to pre-construction conditions to the extent practicable.

5.5 Construction Practices

The Permittee shall follow those specific construction practices and material specifications described in [BP Midwest Products Pipelines Holdings LLC's application for the Dubuque-Twin Cities Pipeline Relocation for the Runway 2/20 Project dated March 2022](#), and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail. The Permittee shall comply with the conditions for right-of-way preparation, construction, cleanup, and restoration contained in Minn. R. 7852.3600.

5.5.1 Public Services, Public Utilities, and Existing Easements

During construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these would be temporary, and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to

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determine the most appropriate mitigation measures if not already considered as part of this permit.

The Permittee shall cooperate with all entities that have existing easements or infrastructure within the pipeline route to ensure minimal disturbance to existing or planned developments.

5.5.2 Access to Property for Construction

The Permittee shall obtain all necessary permits authorizing access to public rights-of-way prior to any construction. The Permittee shall obtain approval of the landowners for access to private property prior to any construction. The Permittee shall consult with property owners to identify and address any special problems the landowners may have that are associated with the pipeline prior to any construction.

The Permittee shall work with landowners to provide access to their property, to locate the pipeline on their property to minimize the loss of agricultural land, forest, and wetlands, with due regard for proximity to homes and water supplies, even if the deviations will increase the cost of the pipeline, so long as the landowner's requested relocation does not adversely affect environmentally sensitive areas.

The Permittee shall negotiate agreements with landowners that will give the landowners access to their property; minimize the impact on planned future development of the property; and to assume any additional costs for such development that may be the result of installing roads, driveways and utilities that must cross the right-of-way. The Permittee shall not unreasonably deny a landowner's request to cross the easement to access the landowner's property.

5.5.3 Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0010 to 7030.0080. Construction and maintenance activities shall be limited to daytime working hours to the extent practicable.

5.5.4 Topsoil Protection

The Permittee shall take precautions to minimize mixing of topsoil and subsoil during excavation of the trench for the pipe unless otherwise negotiated with the affected landowner.

5.5.5 Soil Compaction

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Compaction of agricultural lands by the Permittee must be kept to a minimum and mitigated in accordance with the Agricultural Impact Mitigation Plan.

5.5.6 Landscape Preservation

Care shall be used to preserve the natural landscape, minimize tree removal, and prevent any unnecessary destruction of the natural surroundings in the vicinity of all pipeline construction and restoration activities.

5.5.7 Sensitive Areas

The Permittee shall stabilize stream banks and other sensitive areas disturbed by pipeline construction in accordance with the requirements of applicable state or federal permits.

5.5.8 Wetlands and Water Resources

Wetlands and riparian areas shall be accessed using the shortest route possible to minimize travel through wetland areas and prevent unnecessary impacts. No temporary workspace areas shall be placed within or adjacent to wetlands or water resources, as practicable. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions where practicable and shall be according to permit requirements by the applicable permitting authority. When construction during winter is not possible, wooden, or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area.

Dewatering during periods of excessive precipitation or in areas where the natural groundwater table intersects the pipeline trench will not be directed into wetlands or water bodies. Dewatering discharges will be directed toward well vegetated upland areas. Should discharge activities need to be directed off the right-of-way landowner consent will be obtained, and locations will be chosen to minimize impacts. All discharge activities will comply with applicable agency permits or approvals.

Areas disturbed by construction activities shall be restored to pre-construction conditions. Restoration of the wetlands will be performed by Permittee in accordance with the requirements of applicable state and federal permits or laws and landowner agreements.

All requirements of the U.S. Army Corps of Engineers (wetlands under federal jurisdiction), Minnesota Department of Natural Resources (Public Waters/Wetlands), and County (wetlands under the jurisdiction of the Minnesota Wetland Conservation Act) shall be met.

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5.5.9 Vegetation Removal and Protection

The Permittee shall clear the permanent right-of-way and temporary right-of-way preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not impact the safe operation, maintenance, and inspection of the pipeline and are in compliance with all applicable laws and regulations.

Tree stumps will be removed at the landowner's request or when necessitated due to trench location. Cleared vegetation may be disposed of in a manner authorized by the responsible governmental unit or as agreed to with the landowner, provided disposal complies with local regulations.

5.5.10 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture, Minnesota Department of Natural Resources, and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. The Permittee shall contact the landowner or his designee to obtain approval for the use of pesticide prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the right-of-way within the landowner's property. All pesticides shall be applied in a safe and cautious manner so as not to damage crops, orchards, tree farms, or gardens. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.5.11 Invasive Species

The Permittee shall develop an Invasive Species Plan to prevent the introduction of invasive species on lands disturbed by Project construction activities. This requirement may be included as an element of the Soil Erosion and Sediment Control Plan.

5.5.12 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of pipeline construction and restoration of all areas affected by construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

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5.5.13 Roads (Public and Private)

Prior to commencement of construction, the Permittee shall identify all state, county or township roads that will be used for the project and shall notify the state, county, city and township governing body having jurisdiction over the roads to determine if the governmental body needs to inspect the roads prior to use of these roads. The Permittee is responsible for maintenance and repair of roads that will be subject to extra wear and tear due to transportation of equipment and project related materials. The Permittee shall cooperate with state, county city, and township road authorities to develop appropriate signage and traffic management during construction.

Equipment involved in pipeline construction shall be moved into the right-of-way using existing public or private roads unless a temporary road is negotiated with the landowner and approved by the Environmental Monitor.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

5.5.14 Archaeological and Historic Resources

The Permittee shall work with the State Historic Preservation Office (SHPO) and the State Archaeologist prior to commencing construction to determine whether any additional archaeological survey work will be necessary for any part of the proposed Project. The Permittee shall contract with a qualified archaeologist to complete such surveys, and shall submit the results to SHPO, the State Archaeologist and the Commission.

The SHPO and the State Archaeologist will make recommendations for the treatment of any significant archaeological sites which are identified. Any issue in the implementation of these recommendations will be resolved by the Commission in consultation with SHPO and the State Archaeologist.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If any previously unrecorded archaeological sites are found during construction, the Permittee shall mark and preserve the sites and promptly notify the SHPO, the State Archaeologist, and the Commission of such discovery. The Permittee shall not excavate at such locations until so authorized by the Commission in consultation with the SHPO and the State Archeologist.

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If human remains are encountered during construction, the Permittee shall immediately halt construction at that location and promptly notify local law enforcement authorities and the State Archaeologist. Construction at the human remains location shall not proceed until authorized by local law Enforcement authorities or the State Archaeologist.

If any federal funding, permit, or license is involved or required, the Permittee shall complete any Section 106 (36 C.F.R. part 800) review that is necessary by coordinating with the federal agency or federal authority and SHPO as deemed necessary by the federal agency or federal authority.

5.5.15 Livestock

The Permittee shall take precautions to protect livestock during construction and restoration of the areas affected by construction.

5.5.16 Security

The Permittee will install temporary gates or similar barriers, as needed, to prohibit public access to the right-of-way during construction.

5.5.17 Restoration

The Permittee shall restore the right-of-way, temporary work spaces, access roads, and other public or private lands affected by construction of the pipeline to the natural conditions that existed immediately before construction of the pipeline and as required by other federal and state agency permits. Restoration must be compatible with the safe operation, maintenance, and inspection of the pipeline. Within 60 days after completion of all restoration activities the Permittee shall advise the Commission in writing of the completion of such activities.

5.5.18 Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed daily.

5.5.19 Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the

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generation, storage, transportation, clean up and disposal of all wastes generated during pipeline construction and restoration of the right-of-way.

5.5.20 Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

6.0 SPECIAL CONDITIONS

Special conditions shall take precedence over other conditions of this permit should there be a conflict.

7.0 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Commission shall suspend the permit in accordance with Minn. R. 7852.3300. If at the time of suspension, or at a later time, the Permittee decides to construct the pipeline, it shall certify to the Commission that there have been no significant changes in any material aspects of the conditions or circumstances existing when the permit was issued. If the Commission determines that there are no significant changes, it shall reinstate the permit. If the Commission determines that there is a significant change, it may order public information meetings or a new hearing and consider the matter further, or it may require the Permittee to submit a new application.

8.0 COMPLAINT PROCEDURES

Complaint procedures shall be in accordance with the requirements of Minn. R. 7852.3700, and as set forth in the complaint procedures attached to this permit.

The Permittee shall notify the Commission of any complaints received during construction pertaining to Minn. R. 7852.3600 that are not resolved within 30 days of the complaint.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

9.0 PIPELINE SAFETY

In an emergency, responders will take appropriate actions necessary to address the emergency. Pursuant to Minn. Stat. § 216G.02, Subd. 3(a) the pipeline routing permit may not set safety

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standards for the construction of the pipeline. This would also apply to operation and maintenance. Therefore, this Pipeline Routing Permit does not address pipeline safety related issues.

10.0 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

10.1 Plan and Profile

At least 14 days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee shall provide the Commission with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, cleanup, and restoration for the segment of pipeline for which construction is scheduled. The documentation shall include maps depicting the plan and profile including the designated route, right-of-way, and pipeline alignment approved per this permit.

The Permittee may not commence construction until the 14 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the plan and profile documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

The Permittee shall also provide the Minnesota Office of Pipeline Safety with the same information provided to the Commission. The Permittee's plan and profile and specifications and drawings shall become a condition of this permit and shall be complied with by the Permittee in accordance with Minn. R. 7852.3500.

10.2 Status Reports

The Permittee shall report to the Commission on progress during finalization of the route and construction of the pipeline. Reports shall begin with the submittal of the plan and profile for the project and continue until completion of restoration. The Permittee shall report bi-weekly during construction or restoration or monthly during periods where no construction or restoration activity is occurring.

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10.3 Notification to Commission

At least three days before the project is to be placed into service, the Permittee shall notify the Commission of the date on which the project will be placed into service and the date on which construction was complete.

10.4 As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

10.5 GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for the pipeline and associated facilities.

Compliance with the Gopher State One-Call (Minn. Stat. Ch. 216D) requirements is necessary when an underground portion of the project goes into service.

11.0 RIGHT OF ENTRY

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and always in compliance with the Permittee's site safety standards:

- a. To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.
- b. To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.
- c. To sample and monitor upon the facilities easement of the property.
- d. To examine and copy any documents pertaining to compliance with the conditions of this permit.

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12.0 PERMIT AMENDMENT

The Permittee may apply to the Commission for an amendment of the route designation or to conditions specified in the permit in accordance with the requirements and procedures of Minn. R. 7852.3400.

13.0 PERMIT MODIFICATION OR SUSPENSION

If the Commission determines that substantial evidence supports a finding that a violation of the terms or conditions of this pipeline routing permit has occurred or is likely to occur, it may take action to modify or suspend this permit in accordance with Minn. R. 7852.3800. The Commission may at any time re-consider modification or suspension of this permit if the Permittee has undertaken effective measures to correct the violations.

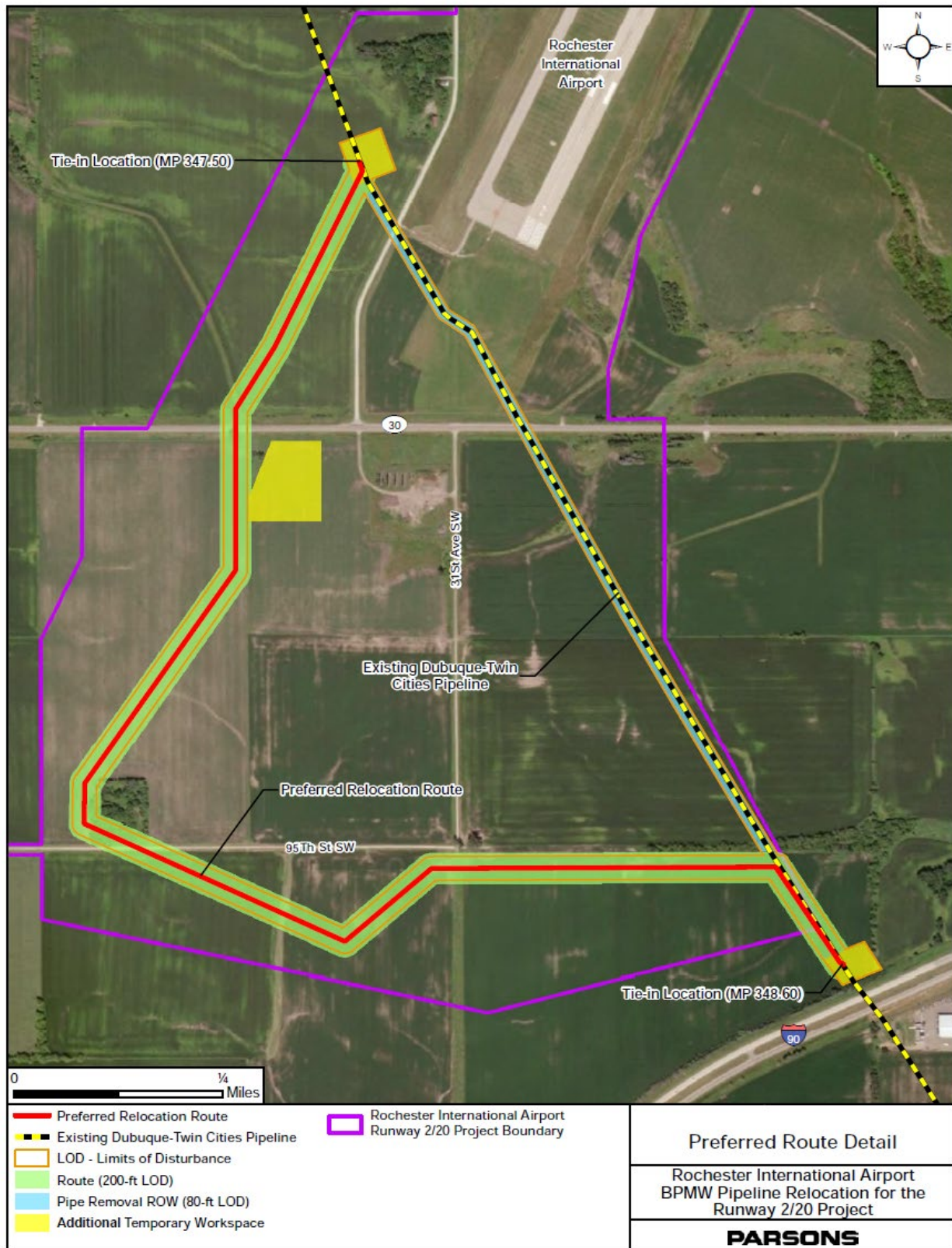
14.0 PIPELINE CONSTRUCTION COMPLETION CERTIFICATE

In accordance with Minn. R. 7852.3900, the Permittee shall file with the Commission a written certification that the construction and remediation of the permitted pipeline has been completed in compliance with all permit conditions and landowner agreements. The certification shall be considered by the Commission within 60 days of its filing. The Commission shall accept or reject the certification of completion and make a final determination regarding cost or reimbursements due. If the certification is rejected, the Commission shall inform the Permittee in writing which deficiencies, if corrected, will allow the certification to be accepted. When corrections to the deficiencies are completed, the Permittee shall notify the Commission, and the certification shall be reconsidered as soon as possible. After acceptance of the certification, the Commission's jurisdiction over the Permittee's pipeline routing permit shall be terminated.

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ROUTE MAP



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MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
PERMITTED ENERGY FACILITIES

A. Purpose

To establish a uniform and timely method of reporting and resolving complaints received by the permittee concerning permit conditions for site preparation, construction, cleanup, restoration, operation, and maintenance.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittee by a person expressing dissatisfaction or concern regarding site preparation, cleanup or restoration or other route and associated facilities permit conditions. Complaints do not include requests, inquiries, questions, or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains unresolved or unsatisfactorily resolved to one or both of the parties.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

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E. Complaint Documentation and Processing

1. The permittee shall designate an individual to summarize complaints for the Commission. This person's name, phone number and email address shall accompany all complaint submittals.
2. A person presenting the complaint should to the extent possible, include the following information in their communications:
 - a. name, address, phone number, and email address;
 - b. date of complaint;
 - c. tract or parcel number; and
 - d. whether the complaint relates to a permit matter or a compliance issue.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
 - a. docket number and project name;
 - b. name of complainant, address, phone number and email address;
 - c. precise description of property or parcel number;
 - d. name of permittee representative receiving complaint and date of receipt;
 - e. nature of complaint and the applicable permit condition(s);
 - f. activities undertaken to resolve the complaint; and
 - g. final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 1-800-657-3782 (voice messages are acceptable) or consumer.puc@state.mn.us. For e-mail reporting, the email subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

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Monthly Reports: During project construction and restoration, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed by the 15th of each month to Daniel P. Wolf, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at:

<https://www.edockets.state.mn.us/EFiling/home.jsp>

If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding site preparation, construction, cleanup, restoration, operation, and maintenance shall be promptly sent to the permittee.

H. Commission Process for Unresolved Complaints

Commission staff shall perform an initial evaluation of unresolved complaints submitted to the Commission. Complaints raising substantial permit issues shall be processed and resolved by the Commission. Staff shall notify the permittee and appropriate persons if it determines that the complaint is a substantial complaint. With respect to such complaints, each party shall submit a written summary of its position to the Commission no later than ten days after receipt of the staff notification. The complaint will be presented to the Commission for a decision as soon as practicable.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may file by mail or email to:

Jay Taylor, Project Engineer
BPMW
30 S. Wacker Drive
Chicago, IL 60605
jay.taylor@bp.com
Tel: 312-809-3390

This information shall be maintained current by informing the Commission of any changes as they become effective.

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MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLIANCE FILING PROCEDURE FOR
PERMITTED ENERGY FACILITIES

A. Purpose

To establish a uniform and timely method of submitting information required by Commission energy facility permits.

B. Scope and Applicability

This procedure encompasses all known compliance filings required by permit.

C. Definitions

Compliance Filing: A filing of information to the Commission, where the information is required by a Commission site or route permit.

D. Responsibilities

1. The permittee shall file all compliance filings with Daniel P. Wolf, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

General instructions are provided on the eDockets website. Permittees must register on the website to file documents.

2. All filings must have a cover sheet that includes:
 - a. Date
 - b. Name of submitter/permittee
 - c. Type of permit (site or route)
 - d. Project location
 - e. Project docket number
 - f. Permit section under which the filing is made
 - g. Short description of the filing

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3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being electronically filed, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Daniel P. Wolf, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any electronically filed document.

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PERMIT COMPLIANCE FILINGS¹

PERMITTEE: [BP Midwest Products Pipelines Holdings LLC \(BPMW\)](#)
PERMIT TYPE: [Petroleum Products Pipeline Route Permit](#)
PROJECT LOCATION: [Olmsted](#) County
PUC DOCKET NUMBER: [IP-7042/PPL-21-266](#)

Filing Number	Permit Section	Description of Compliance Filing	Due Date
1	4.1	Permit Distribution to Local Governments and Residents	Within 10 days of permit issuance to LGUs, Within 30 days to landowners
2	4.2	Notification	At least 14 days before construction
3	4.3	Field Representative Notification	At least 14 days before construction
4	4.4	Agricultural Monitor & County Inspector Notification Requirements	At least 14 days before construction
5	4.6	Employee Training & Education of Permit Terms and Conditions	Filing of certification prior to any construction
6	5.1	Construction Environmental Control Plan	Filed with Plan and Profile
7	5.2	Agricultural Impact Mitigation Plan	Filed with Plan and Profile
8	5.3	Vegetation Management Plan	Filed with Plan and Profile
9	5.4	Site Sediment and Erosion Control	At least 14 days before construction

¹ This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit, the language of the permit controls.

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Filing Number	Permit Section	Description of Compliance Filing	Due Date
10	5.5	Construction Practices	Maintain contact log, file upon request and with As-Builts for each phase
11	5.5.10	Application of Pesticides	At least 14 days prior to application
12	5.5.17	Restoration	Within 60 days after completion
13	8.0	Complaint Procedures	Any unresolved after 30 days to be files with Status Report(s) (see 10.2 below)
14	10.1	Plan and Profile	At least <u>14</u> days before right-of-way preparation. May be done in phases. Copy Minnesota Office of Pipeline Safety
15	10.2	Status Reports	Bi-Weekly during project construction and restoration, otherwise monthly
16	10.3	Notification to Commission	At least 3 days before completion of each phase
17	10.4	As-Builts	Within 90 days after completion of each phase
18	10.5	GPS Data	Within 90 days of completion of each phase
21	14.0	Pipeline Completion Certification	
		Rare Species Survey	If required, within 30 days of completion

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Filing Number	Permit Section	Description of Compliance Filing	Due Date
		Contamination Survey	Before Plan and Profile Submittal (see 10.1 below)