

Commenter / Comment ID	Comment	EA Section where Comment is Addressed	USACE Response
3(2)-4	<p>We recommend that the NEPA analysis describe the typical size of leak that can be detected by SCADA, the time that would be required for detection and shutoff of the pipeline, and the size of a spill that could occur during that time period. It may be appropriate to require routine physical inspections in sensitive surface water and groundwater areas to augment the ability of the SCADA system to identify small volume leaks. For the sections of the pipeline in close proximity to sensitive water resources, we recommend consideration be given to the available alternative systems with more accurate rapid detection abilities than SCADA and establishment of a network of sentinel or monitoring wells along the pipeline, especially in sensitive areas with hydrologic connection to the Missouri River. It may be useful for the USACE and project proponent to consult with the Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) regarding pipeline leak and spill detection and emergency planning, if it has not already occurred.</p>	<p>Section 3.11 Reliability and Safety                      Section 3.2.1.2 Surface Water Impacts and Mitigation                      Appendix L Draft FRP</p>	<p>DAPL will have three methods of monitoring the pipeline during operation: 1) SCADA, 2) LeakWarn, 3) Physical Pressure and Flow Measurement. The SCADA system shows pump station and valve status. The secondary leak detection system (LeakWarn leak detection system) is a Computational Pipeline Monitoring System (CPM) used to monitor the pipeline for leaks via computational algorithms performed on a continual basis. This measurement data is immediately analyzed to determine potential product releases anywhere on the pipeline system. <b>This state-of-the-art CPM system is capable of detecting leaks down to 1 percent or better of the pipeline flow rate within a time span of approximately 1 hour or less and capable of providing rupture detection within 1 to 3 minutes.</b> The leak detection equipment and software utilized during operations or the pipeline will be updated per federal standards in accordance with PHMSA and American Petroleum Institute requirements. The Physical Pressure and Flow Measurement utilizes stand-alone pressure transmitters and stand-alone ultrasonic meters at each pump station to continuously verify and compare flowrates along the pipeline in real-time in conjunction with the leak detection system. Once in operation, physical observation is made along the entire length of the pipeline which includes aerial patrols at least once every 10 days. Sentinels / monitoring wells do not provide real-time feedback and would BE no advantage for monitoring this pipeline operation relative to the above detection methods.</p> <p>The applicant and the USACE held a joint conference call on February 23, 2016 with Mr. David Lehman, US DOT PHMSA Director with Emergency Support &amp; Security Division. Mr. Lehman has already reviewed a draft of the DAPL Facility Response Plan prepared in accordance with 49 CFR 194 supplied by the USACE. Mr. Lehman indicated that this Draft FRP was consistent with other FRPs that he had reviewed from other operators and was generally what he expected to see at this stage of a project. PHMSA will review a Final FRP which must be submitted by DAPL prior to pipeline in-service. PHMSA will supply DAPL a letter of Authorization. The Final FRP is protected from public disclosure and therefore will not be included within the EA. However, this "Privileged and Confidential" document will be provided by PHMSA to other Federal agencies.</p>
3(2)-5	<p>We recommend that Dakota Access adequately plan, prepare and train for such an event and that the revised Draft EA include a requirement to work with the local water districts on spill response strategies and equipment specific to the drinking water intakes in and near the project.</p>	<p>Section 3.11 Reliability and Safety                      Section 3.2.1.2 Surface Water Impacts and Mitigation                      Appendix L Draft FRP</p>	<p>DAPL is preparing a Facility Response Plan in accordance with PHMSA 49 CFT 194. In addition to the FRP, DAPL has also developed Geographical Response Plans (GRP's) for the Missouri River and Lake Oahe crossings to facilitate a rapid and effective response during the incipient stages of a release. The GRP's include tactical response/mitigation measures, as well as maps depicting potential access, containment, and staging areas. The GRP's will be utilized during training exercises. As part of DAPL's Tier 1 leak response, DAPL will initiate emergency response efforts immediately upon discovery of a release of oil consistent with the FRP and API RP-1174 "recommended Practice for Onshore Hazardous Liquid Pipeline Emergency Preparedness and Response", including containment and recovery. Emergency notifications will be made to Federal, State, and Local agencies and tribal officials as outlined in the FRP. DAPL and its contractors will work with Federal, State, local, and Tribal officials to protect downstream water intakes. To minimize potential impacts to intakes, protection and mitigation measures will be implemented into the respective GRPs.</p> <p>DAPL will conduct emergency response drills/exercises in accordance with the National Preparedness for Response Exercise Program (PREP), which is recognized, and approved, by the EPA, USCG, and PHMSA. Emergency response exercises will be conducted in accordance with PREP and will include an annual table top exercise. A worst case, or alternate worst case, discharge exercise will be conducted every triennial cycle. DAPL is committed to conducting a worst case discharge exercise at either Lake Sakakawea or Lake Oahe once every 6 years and will include both open water and ice response. DAPL will alternate the location and type of exercise. Regulatory and stakeholder participation will be encouraged and solicited for the exercise.</p> <p>To minimize potential impacts to intakes, protection and mitigation measures will be implemented in cooperation with intake operators. Information on the protection of drinking water and irrigation water intakes will be added as it becomes available into the Geographical Response Plan.</p>