



1250 West Century Avenue
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P.O. Box 5601
Bismarck, ND 58506-5601
(701) 530-1600

September 25, 2024

Debbie-Anne Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

Re: WBI Energy Transmission, Inc.
Wahpeton Expansion Project
Docket No. CP22-466-000
FERC Environmental Inspection – Notification of Corrective Actions

Dear Acting Secretary Reese:

On October 23, 2023, the Federal Energy Regulatory Commission (FERC or Commission) issued an Order Issuing Certificate (Order) in the above referenced docket authorizing WBI Energy Transmission, Inc. (WBI Energy) to construct, modify, operate, and maintain its Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota. On February 13, 2024, the Commission authorized WBI Energy to proceed with construction of all Project facilities.

On September 17 and September 18, 2024, the monthly FERC environmental inspection was conducted for the Project. During the inspection, the environmental inspector identified two problem areas and a non-compliance as further described in Attachment A. WBI Energy is hereby submitting its response to the Notification of Required Corrective Action or Response.

Attachment A includes a summary of the noncompliance, how it occurred, when it was corrected including photo documentation, and steps WBI Energy has implemented to ensure similar occurrences will be avoided. Also included in Attachment A is documentation that the two problem areas identified during the inspection have been corrected. WBI Energy has corrected the issues identified in the environmental inspection and is committed to ensuring similar issues do not re-occur.

WBI Energy will continue to implement the mitigation measures in FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan*, and *Wetland and Waterbody Construction and Mitigation Procedures* to further reduce impacts during construction and restoration.

Pursuant to 18 CFR § 385.2010 of the Commission's regulations, copies of this filing are being served to each person whose name appears on the official service list for this proceeding.

Any questions regarding this filing should be addressed to the undersigned at (701) 530-1563.

Sincerely,

/s/ Lori Myerchin

Lori Myerchin
Vice President, Regulatory Affairs
and Transportation Services

Attachment

cc: via email

David Hanobic, FERC Environmental Project Manager
Dawn Ramsey, FERC Deputy Environmental Project Manager
Official Service List

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 25th day of September, 2024.

By /s/ Lori Myerchin

Lori Myerchin

Vice President, Regulatory Affairs and
Transportation Services

WBI Energy Transmission, Inc.

1250 West Century Avenue

Bismarck, ND 58503

Telephone: (701) 530-1563

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

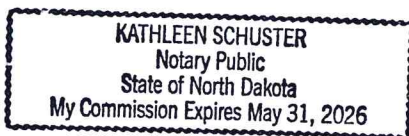
I, Lori Myerchin, being first duly sworn, do hereby depose and say that I am the Vice President, Regulatory Affairs and Transportation Services for WBI Energy Transmission, Inc.; that I have read the foregoing document; that I know the contents thereof; that I am authorized to execute such document; and that all such statements and matters set forth therein are true and correct to the best of my knowledge, information and belief.

Dated this 25 day of September, 2024.

By *Lori Myerchin*
Lori Myerchin
Vice President, Regulatory Affairs and
Transportation Services

Subscribed and sworn to before me this 25th day of September, 2024.

Kathleen Schuster
Kathleen Schuster, Notary Public
Burleigh County, North Dakota
My Commission Expires: 5/31/2026



WBI Energy Transmission, Inc.
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Attachment A

Non-Compliance

Date: 9-18-2024

Location: Mileposts (MP) 42.05 to 58.50.

Project-related materials not contained within approved workspace limits per Plan IV.A. widespread south of I-29.

Description of Non-Compliance Occurrence:

Material sloughed off the top and sides of the segregated topsoil piles and rolled outside of approved workspace boundaries. In addition, during construction activities along the right-of-way, material was pushed outside of the approved workspace boundaries.

Corrective Actions:

Starting on September 19, 2024 at MP 58.50 and concluding on September 22, 2024 at MP 41.00, material found outside of the staked approved workspaces was either removed by hand or by equipment remaining within the approved construction right-of-way and placed within the staked approved workspaces.

On September 23, 2024, the environmental inspectors conducted refresher environmental training for all contract machinery operators and spotters. The training was delivered in English and Spanish languages.

Avoidance of Similar Occurrences:

Additional contract personnel have been deployed to monitor the construction right-of-way during earth moving activities and have been instructed to leave adequate space for sloughing of soil piles and/or moving of soil considering the soil conditions. The environmental inspectors will continue to routinely monitor the edges of approved workspace boundaries to ensure material is staying within the approved workspace boundaries. WBI Energy has also directed other third-party craft inspection to routinely monitor the edges of approved workspace boundaries to ensure material is staying within the approved workspace boundaries. These activities will be completed in accordance with the FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan* (Plan) and *Wetland and Waterbody Construction and Mitigation Procedures* (Procedures).

WBI Energy Transmission, Inc.
Wahpeton Expansion Project
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Attachment A

MP 42.05



Date: 9/22/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 42.05.

MP 42.05



Date: 9/22/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 42.05.

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Wahpeton Expansion Project
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FERC Environmental Inspection – Notification of Corrective Actions
Attachment A

MP 44.45



Date: 9/21/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 44.45.

MP 44.45

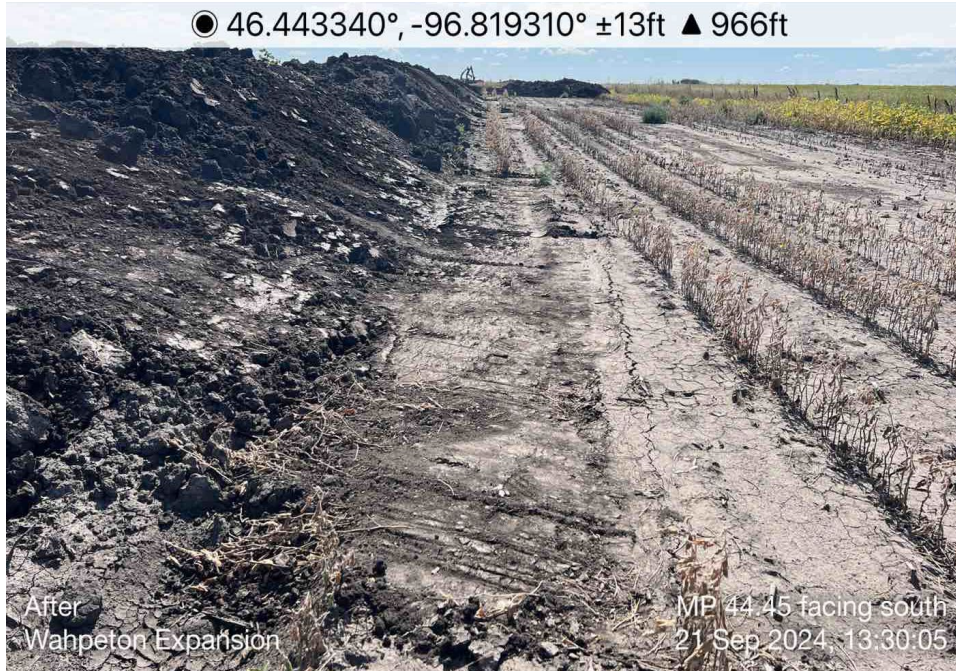


Date: 9/21/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 44.45.

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Attachment A

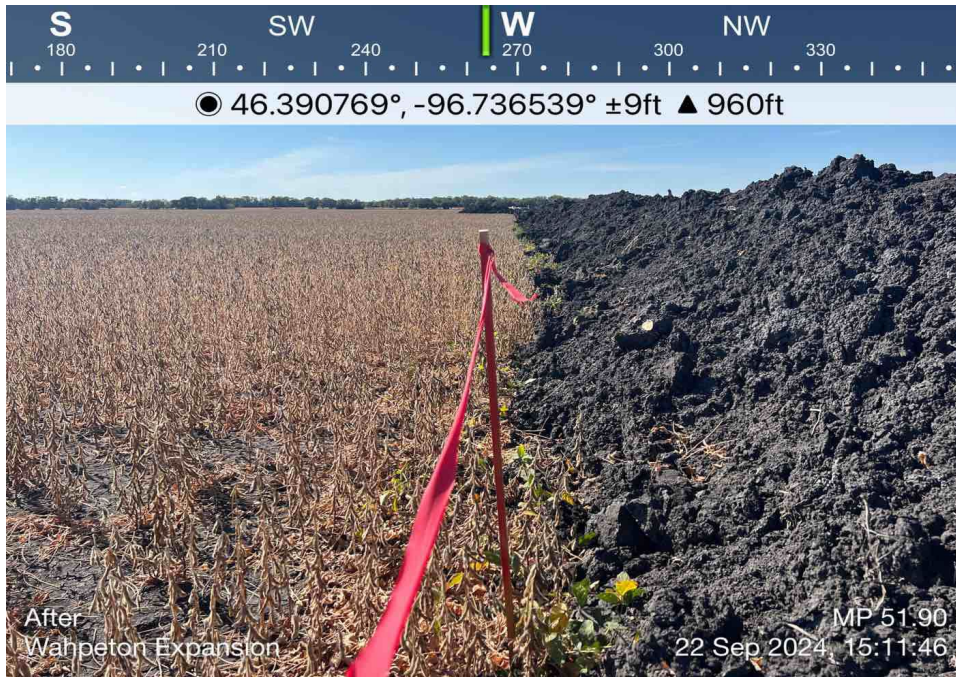
MP 44.45



Date: 9/21/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 44.45.

MP 51.90



Date: 9/22/2024

Notes: On 9/22/2024, Project material was pulled back within staked approved workspaces at MP 51.90.

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Attachment A

MP 52.95

● 46.391208°, -96.716034° ±13ft ▲ 958ft

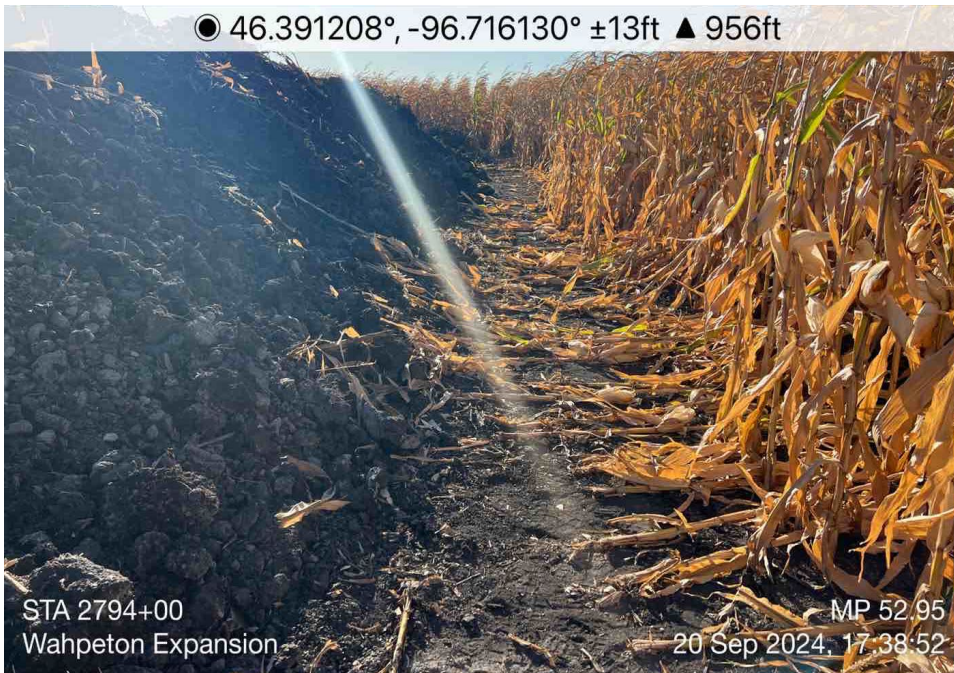


Date: 9/20/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 52.95.

MP 52.95

● 46.391208°, -96.716130° ±13ft ▲ 956ft

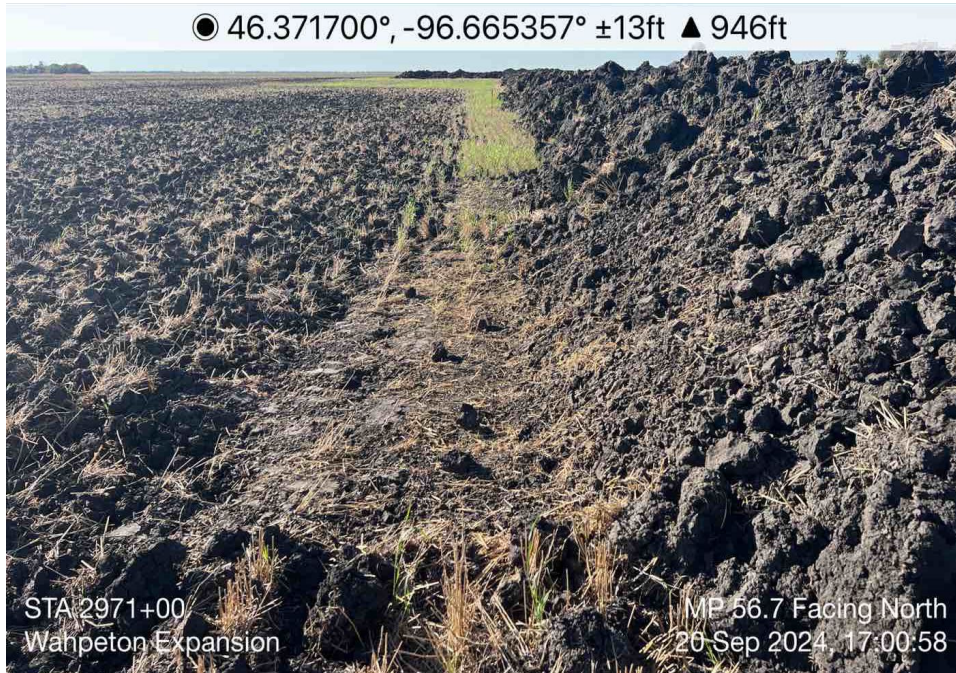


Date: 9/20/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 52.95.

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Wahpeton Expansion Project
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Attachment A

MP 56.70



Date: 9/20/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 56.70.

MP 56.70



Date: 9/20/2024

Notes: Project material has been pulled back within staked approved workspaces at MP 56.70.