



**FEDERAL ENERGY REGULATORY COMMISSION  
 ENVIRONMENTAL COMPLIANCE MONITORING PROGRAM  
 WEEKLY SUMMARY REPORT**

**NEXUS GAS TRANSMISSION PROJECT**

DOCKET NO.: CP16-22-000

FOR THE PERIOD: MAY 7 THROUGH MAY 13, 2018

On August 25, 2017, the Federal Energy Regulatory Commission (FERC) issued a Certificate of Public Convenience and Necessity (Certificate) under section 7 of the Natural Gas Act for authorization to construct and operate the NEXUS Gas Transmission, LLC (NEXUS) NEXUS Gas Transmission Project (Project). The Project consists of about 257.5 miles new of 36-inch-diameter pipeline and associated facilities, including about 209.4 miles of new pipeline in Columbiana, Stark, Summit, Medina, Lorain, Huron, Erie, Sandusky, Wood, Lucas, Henry, and Fulton Counties, Ohio; and about 48.1 miles of new pipeline in Lenawee, Monroe, and Washtenaw Counties, Michigan; four new natural gas-fired compressor stations, and associated facilities/aboveground appurtenances.

As committed to in its application and in accordance with the Order for the above referenced docket, NEXUS agreed to fund an Environmental Compliance Monitoring Program (Program) during construction of the Project. This report provides a summary of the FERC Compliance Monitors' construction review for this reporting period.

Three Program Compliance Monitors (CMs), Aric Donajkowski, Tom McDonald, and Tina Webb are conducting daily inspections documenting compliance with the Project's environmental requirements along the Project's right-of-way.

The compliance monitors are responsible for reviewing NEXUS's construction and documenting compliance with the FERC Certificate.

**SUMMARY OF COMPLIANCE MONITOR REPORTS AND APPROVED VARIANCES FOR  
 THE NEXUS GAS TRANSMISSION PROJECT**

Compliance Level	Number of Reports this Reporting Period	Cumulative Number of Reports
Acceptable	25	743
Communication	15	333
Problem Area	0	6
Noncompliance	0	2
Serious Violation	0	0
Approved Level 1 Variances	2	40
Approved Level 2 Variances	3	39
Approved Level 3 Variances	0	7
<b>Total Reports</b>	<b>45</b>	<b>1,170</b>



**COMMUNICATION REPORTS**

Communication reports provide documentation of relevant meetings between the FERC CM and landowners, agencies, Project representatives, Environmental Inspectors, and/or Contractors. The twelve communication and follow-up reports represented below capture compliance related information for keeping this weekly summary report relevant to current Project activities.

**SUMMARY OF COMMUNICATION REPORTS FOR THE NEXUS GAS TRANSMISSION PROJECT  
 MAY 7, 2018 THROUGH MAY 13, 2018**

Date	Spread/ Facility	Location (Milepost)	Follow-up Required If Applicable (Yes or No)	Communication Description
5/7/18	CS 1 - Hanoverton	1.3	Yes	The CM observed the stormwater retention pond at CS-1. The CM noted the pond was empty and the pond skimmer to be potentially set too low, which would allow water to exit the pond prematurely. Interior bank stabilization was still needed. The CM contacted the Lead Environmental Inspector (Lead EI) to communicate the concerns. The Lead EI responded that NEXUS was working on a plan to address concerns at the pond. The CM noted 30% revegetative cover in stabilized and seeded areas. The CM noted that the street cleaner was operating at the CS-1 site and off-site tracking was not noted to be a concern.
5/7/18	2	70.5	No	On May 5, the CM observed a Komatsu 300 trackhoe parked outside the staked right-of-way (ROW) boundaries of additional temporary workspace (ATWS) 4612, on north side of the ROW. The contractor was not onsite at the time. The CM informed the Lead EI who would find out if the equipment was project-related the next working day. Prior to construction of the ROW in this area, a local non-project related contractor had been working near this road crossing. On 5/7/18, the CM followed-up with the Lead EI and was informed that the trackhoe and off-ROW disturbance was not project-related.
5/8/18	3	147.1 to 147.2	No	The CM noted secondary containment concerns for storage of a hydraulic post-hole digger attachment within 100 feet of wetland D15-104 (initially observed on May 5). Additionally, the CM noted a 55-gallon barrel of diesel exhaust fluid (DEF) stored outside of the 100-foot wetland and waterbody buffer without secondary containment. The CM communicated the concerns to the Lead EI. No spills were observed. On May 9, the CM followed-up at the site and observed no improvements to the secondary containment concerns. The Lead EI was informed and stated NEXUS would document a problem area report would be documented for the lack of secondary containment for the 55-gallon barrel of DEF. Further dialogue and clarification between NEXUS and the FERC environmental teams regarding secondary containment requirements was coordinated. It was determined that moving forward additional measures would be undertaken to prevent spills and contain hydraulic attachments. On 5/11, the CM observed the 55-gallon DEF barrel to be placed within secondary containment and remaining outside of the 100-foot wetland and waterbody buffer. The hydraulic post-hole digger attachment was observed to be moved outside of the 100-foot wetland buffer resolving the previously noted concerns.
5/9/18	1	2 to 2.1	No	The CM observed the bore operation on the north side of HWY 30 and stream A14-5-S4. The CM observed bore pit dewatering with clear water discharge. The discharge site from submersible pumps consisted of filter bags inside of straw bale structures, located at milepost (MP) 2.05 on the west side of additional temporary workspace (ATWS) 2570 in an upland area. The CM noted a small volume of off-site sediment was



NEXUS Gas Transmission Project, Docket No.: CP16-22-000  
 Environmental Compliance Monitoring Program  
 May 7 Through May 13, 2018 Summary Report

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				forming to the west of the discharge site. The CM noted at the time of the inspection, with the small amount of sediment, and the fact that no sensitive resources were threatened, the discharge should continue to be closely monitored and any offsite sediment retrieved post dewatering. The CM spoke with the Lead EI regarding the sediment and we both agreed that clean up at this point would likely result in unnecessary environmental impacts.
5/10/18	1	21.6 to 22.3	No	The CM observed an area where the topsoil storage pile had been pushed beyond the ATWS boundary on the east side of the ROW for approximately 200 feet in an upland agricultural area. The CM informed the Lead EI of the observation and the Lead EI stated NEXUS would document a problem area for the observed condition. The CM noted a contractor crew was immediately mobilized to the area to correct the concern and the NEXUS Environmental Coordinator (EC) was also present to observe resolution of the concern. The EC, Lead EI, and CM also observed areas where soil mixing was evident within the immediate area. The EC and Lead EI would address the concerns with the contractor as well as monitor the area for future revegetation concerns.
5/10/18	1	195.3	No	The CM was contacted by the Lead EI regarding a NEXUS documented noncompliance report for discovery of an area of off-ROW grading. The Lead EI informed the CM that topsoil segregation was conducted off-ROW in a tapering triangle shape area 0 to 22 feet-wide by 185 feet-in-length. The CM reviewed the location and noted that the contractor appeared to have incorrectly followed a farmer's herbicide sprayed cover crop line (oats) instead of the ROW boundary.
5/11/18	1	12.0 to 12.5	No	The CM observed an area regarding a complaint filed to the NEXUS FERC docket on May 9, 2018. The CM observed the ROW on tract OH-CO-110.0000. The CM observed the boundary on both sides of the ROW/ATWS on this tract and observed all ECDs including silt/filter fencing, water bars, sumps, j-hooks, and straw bale structures. The CM also checked for project-related off-ROW sediment loss and deposition and any off-site erosion rills. Damaged silt fence was observed at MP 12.46 on the south side of the ATWS. No off-site sediment deposition was observed at this location. The CM contacted the EI regarding the damaged silt fence. All other ECDs were in place and functional including at the waterbody crossing and on the edges of the ROW. Adequate water bars were observed to be installed, with sumps and filter fence j-hooks. Several damaged drain tiles were observed and were temporarily repaired or plugged. No off-site erosion or rill-erosion was observed. Adequate soil segregation was observed in the agricultural areas.
5/11/18	1	53.0	No	The CM observed an area regarding a complaint filed to the NEXUS FERC docket on May 9, 2018. The area has been cleared and temporarily stabilized with seed and mulch. The CM observed the ROW boundaries, looking for evidence of any off-ROW activities, or any environmental compliance issues. ECDs were installed and functional. Safety exclusion fencing along the southern ROW boundary was installed and functional. The CM did not observe any evidence off-ROW activities or disturbance.
5/12/18	1	8.0	No	The CM was informed that the contractor reported an inadvertent return (IR) at approximately 9:30 am near MP 7.95 at the 8-mile HDD on the east side of Knox School Rd. in the upland road ditch. The CM observed the location and approved a level 1 variance to contain and cleanup the drilling mud. A vacuum truck and water truck were onsite and parked



NEXUS Gas Transmission Project, Docket No.: CP16-22-000  
 Environmental Compliance Monitoring Program  
 May 7 Through May 13, 2018 Summary Report

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5/12/18	1	8.3	No	<p>on the ROW to conduct the clean-up using a hose. Approximately 5 to 10 gallons of drilling mud was observed and cleaned up. ECDs for containment would be installed at the IR site and the contractor would patrol the area frequently.</p> <p>The CM observed an area regarding a complaint filed to the NEXUS FERC docket on May 9, 2018. The CM observed the workspace boundaries on both sides of the ROW from MP 8.29 to MP 8.34, checking ECDs and observing for any evidence of off-site activities, sediment, or project-related erosion. All ECDs were in place and functional. Water bars were observed to be graded down to accommodate pipe trucks hauling in the area the day of the inspection. The CM observed an area at MP 8.34 where a small amount of scouring was observed on the uphill and downhill sides of the ROW. The CM could not see any evidence that the scouring was Project-related. All project-related activities were contained within the ROW boundaries.</p>
5/12/18	1	17.2 to 17.7	No	<p>The CM observed an area regarding a complaint filed to the NEXUS FERC docket on May 9, 2018. The CM observed the workspace boundary on both sides of the ROW and observed all ECDs including silt/filter fencing, water bars, sumps, and j-hooks. The CM noted erosion was observed off-ROW at MP 17.43 however was unable to determine if the erosion resulted from project-activity. The CM observed some evidence of erosion above the ROW (upslope side) at MP 17.45, indicative of a natural drainage area. The CM was unable to determine if the erosion below the ROW was caused by project activity. The ECDs at both sites of the ROW were in place and functional throughout the area.</p>
5/12/18	3	163.6	No	<p>Before noon, the CM received a telephone call from an EI who stated a variance request was being made for approval to work off-ROW for IR cleanup at the Portage River HDD. The CM traveled to the north/west side of the Portage River and reviewed the location of drilling mud surface release with the EI. The mud was released near MP 163.57 and appeared to have originated near the proposed centerline and traveled eastward, slightly off-ROW in an upland agricultural area. Silt fence had already been installed within the approved workspace but the fence stopped at the limits of disturbance. The CM approved a level 1 variance for containment and retrieval of the drilling mud. Silt fence backed by straw bales was installed and a broom was used to sweep the drilling mud back onto the ROW resolving the concern. The area would continue to be monitored.</p>



**SUMMARY OF LEVEL 1, 2, AND 3 VARIANCE REQUESTS**

Two Level 1 Variance Requests and three Level 2 Variance Requests were approved during this period. A tabular summary of the requested and approved variances for the above-mentioned reporting period is presented below.

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 MAY 7, 2018 THROUGH MAY 13, 2018**

Variance Number	Variance Level <sup>a</sup>	Date Received	Location (Milepost)	Description	Status (Approval Date)
L2-SP1-024	2	5/3/18	TAR 20.4	Request to shift TAR 20.4 and associated workspace to avoid an overlap in the current alignment with a power pole guy wire.	5/9/18
L2-SP1-025	2	5/3/18	TAR 33.2	Request to shift TAR 33.2 to avoid an overlap with existing underground utilities and aboveground utility pedestals.	5/9/18
L2-SP4-026	2	5/10/18	255.2	Request for an extension of approved variance L2_SP4_025 (which was to expire on May 12) to allow work through May 19 on the ACM property to undertake sheet pile and slide rail shoring removal as well as backfilling and compaction of the bore pits associated with the North Beyers Drain waterbody crossing. The anticipated crew size was 8 pieces of equipment, 10 light plants, and 20 personnel. This variance extension was requested due to work restrictions placed by the local utility authority delaying commencement of work approved under the original variance until May 9. The initial variance (L2_SP4_025) was requested due to several construction complications associated with the bore crossing including recent wet weather, soil movement, and proximity to municipal potable water supply lines. The area is an industrial use area and impacts to the public from the extended work hours were anticipated to be minimal. No complaints were received to date associated with extended work hours at this location performed under a former variance approval. Light plants would be used and the lighting would be dampened by shining down towards the ground where the work is occurring. The contractor would only use the equipment necessary to minimize noise generation.	5/10/18
L1-SP1-027	1	5/12/18	7.95	Request to temporarily access an off-ROW area within an upland road ditch with the purpose of installing measures to contain an inadvertent release of drilling mud using hand tools and light stationary equipment (e.g. hoses, pumps, light plants). Access inside the environmentally surveyed corridor would be limited to foot and rubber-tired vehicle traffic, and areas outside the environmentally surveyed corridor would be limited to foot traffic only. No ground disturbing activities would be conducted other than ECD (e.g. straw bales, filter logs, and silt fence) deployment. Any motorized stationary equipment would be staged inside a secondary containment structure.	5/12/18



Variance Number	Variance Level <sup>a</sup>	Date Received	Location (Milepost)	Description	Status (Approval Date)
L1-SP3-009	1	5/12/18	163.7	Request to temporarily access an upland agricultural off right-of-way area with the purpose of installing measures to contain an inadvertent release of drilling mud using hand tools and light stationary equipment (e.g. hoses, pumps, light plants). Access inside the environmentally surveyed corridor would be limited to foot and rubber-tired vehicle traffic, and areas outside the environmentally surveyed corridor would be limited to foot traffic only. No ground disturbing activities would be conducted other than ECD (e.g. straw bales, filter logs, silt fence) deployment. Any motorized stationary equipment would be staged inside a secondary containment structure.	5/12/18

<sup>a</sup> Variance Level Definitions

Level 1 Variance – reviewed and approved or denied by the Compliance Monitors. These requests must be within the approved workspace or of like use and are for site-specific, minor, performance-based changes to Project specifications or mitigation measures that provide equal or better protection to environmental resources.

Level 2 Variance – reviewed and approved or denied by the Compliance Manager. These requests involve Project changes that would affect an area outside of the previously approved work area, but within the corridor previously surveyed for cultural resources, sensitive species, sensitive resources, etc.

Level 3 Variance – must be reviewed and approved or denied by the FERC Project Manager. These requests exceed the decision authority of the Compliance Manager or are denied as Level 2 Variances.



**SELECTED PHOTOGRAPHS OF OBSERVED ACTIVITIES**



Communication Compliance Level, Spread 1, MP 2.1, View northwest of a small volume of sediment beginning to form due to dewatering discharge in upland area.



Communication Compliance Level, Spread 1, MP 12.46, View south at damaged silt fence. The EI was contacted for repair. No offsite sediment deposition was observed.



Acceptable Compliance Level, Spread 2, MP 69.7, View southeast of a bridge at stream A16-59-S1 removal.



Acceptable Compliance Level, Spread 2, MP 70.5, View north at non-project related piece of equipment and associated ground disturbance.



Acceptable Compliance Level, Spread 3, MP 154.4, View west of waterbody E14-43-S1 and wetland E14-43 crossing.



Acceptable Compliance Level, Spread 3, MP 163.6, View northeast of the extent of the drilling mud cleaned-up off-ROW at the Portage River HDD.



Acceptable Compliance Level, Spread 3, MP 171.8, View southwest a dewatering filter bag at the edge of the survey corridor, west of road bore CR-272 excavation.



Acceptable Compliance Level, Spread 3, MP 182.0, View south of Maumee River HDD drilling rig.