



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

**NEXUS GAS TRANSMISSION PROJECT**

DOCKET NO.: CP16-22-000

FOR THE PERIOD: APRIL 30 THROUGH MAY 6, 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	28	718
Communication	17	318
Problem Area	0	6
Noncompliance	0	2
Serious Violation	0	0
Approved Level 1 Variances	2	38
Approved Level 2 Variances	4	36
Approved Level 3 Variances	1	7
Total Reports	52	1,125



## COMMUNICATION REPORTS

Communication reports provide documentation of relevant meetings between the FERC CM and landowners, agencies, Project representatives, Environmental Inspectors, and/or Contractors. The ten 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 APRIL 30, 2018 THROUGH MAY 6, 2018**

Date	Spread/ Facility	Location (Milepost)	Follow-up Required If Applicable (Yes or No)	Communication Description
4/30/18	1	2.6	No	The CM observed the condition of temporary access road (TAR) 2.6 located in an agricultural field. Topsoil stripping concerns (potential incomplete topsoil stripping) and potential for soil mixing during times of heavy traffic were noted. The CM informed the Lead Environmental Inspector (Lead EI) of the concerns. On May 3, the CM returned to the location and observed improved topsoil stripping and the addition of water bars and appropriate erosion and sediment control devices (ECDs) resolving the topsoil stripping concerns.
4/30/18	1	13.5	No	The CM was notified by the Lead EI that topsoil was pushed beyond the workspace limited for approximately 200 feet near MP 13.6. As a corrective action, without leaving the approved workspace, the contractor pulled the topsoil back within the approved workspace. The landowner was contacted, and the contractor crew was to receive environmental retraining on June 1. The Lead EI stated that the environmental inspection team would document a noncompliance report for the occurrence.
4/30/18	4	239.0	No	On April 28, the CM recommended installation of a sediment barrier ECD to prevent sediment discharge to wetland E14-158. On the morning of April 30, the CM followed-up at wetland E14-158 and did not observe any installed ECDs. Additionally, the CM observed a small amount sediment to be migrating off-ROW with the propensity for more sediment migration if ECDs were not installed. The EI stated the contractor environmental coordinator would be contacted to have ECDs installed. At noon, the CM discussed the concerns with the Lead EI who stated the issue would be documented by the environmental inspection team as a problem area. The CM followed-up later in the day and observed that silt fence was installed following the morning observation. Approximately one-wheel barrow load of off-ROW soil slurry was retrieved and returned to the graded ROW workspace. Wetland signage was also re-established. This observation resolves the previously noted concern.
4/30/18	4	249.4 to 250.2	No	The CM observed numerous locations indicative of pipe coating applied without drop cloths/plastic sheeting. Coating was observed on the subgrade subsoil. Additionally, trash consisting of water bottles, paper, and other debris was observed in the area and requiring removal and proper disposal. The amount of construction debris and trash on the ROW was deemed to be unacceptable. The CM contacted the Lead EI who said cleaning up the coating material, improvement in drop cloth use, and cleaning up trash and debris would be discussed with the contractor.
5/1/18	1	3.0 to 4.8	No	The CM observed excessive dust from project-related vehicles while traveling on Buffalo Rd. which is a Columbiana County Rd. The vehicles that were observed to be creating dust were not traveling fast. The CM contacted the Lead EI to discuss the dust concern. The Lead EI spoke with the contractor, and



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				<p>a water truck was sent to the area to help with the dust control. Buffalo Rd. is one of the few non-paved (gravel) roads on Spread 1. The CM noted a very rapid response to the noted concern.</p>
5/4/18	4	Wareyard 3-5	No	<p>On April 28 the CM observed a section of boundary safety fence to be down where the movement of equipment or materials (timber mats) had damaged the fence. Minor out-of-boundary ground disturbance (a few feet) beyond the wayard boundary was observed in the southeast corner of the wareyard. No sensitive environmental resources were impacted. The CM followed-up on May 4 and observed the safety fence still down and communicated the concern to the Lead EI. No new ground disturbance or off-ROW usage was observed. On May 5, the CM observed the safety fence to be replaced resolving the previously noted concern.</p>
5/4/18	3	163.4	Yes	<p>The CM observed a low area of cross drainage (surface swale) that acts as an intermittent drainage to the Portage River during heavy rain events. With this area graded to subsoil and not currently matted nor bridged, the CM noted concern of potential off-ROW sediment transport by erosion. The CM informed the Lead EI of the concern. The Lead EI stated the area would be followed-up on. The CM also was informed that the area received between 1.5 to 1.7 inches of rainfall the previous day. The CM would follow-up on the location.</p>
5/5/18	1	14.0	No	<p>The CM observed subsoil, from the trench, partially overlaying the windrowed topsoil pile at the Highway 183 road bore site. The CM communicated the observation to the Lead EI. The Lead EI contacted the CM within an hour to inform the CM that the contractor was pulling the subsoil away from the stockpiled subsoil resolving the previously noted concern.</p>
5/5/18	2	70.5	Yes	<p>The CM observed a Komatsu 300 trackhoe parked outside the staked ROW boundaries of ATWS-4612, on North side of ROW at Technology Lane road crossing. 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. The CM would follow-up.</p>
5/5/18	3	186.3	Yes	<p>The CM was contacted by the Lead EI regarding a NEXUS documented problem area for incorrect grading in a fallow cultivated field. The Lead EI informed the CM that the incorrect side of the workspace (off-ROW) was graded connecting ATWS-966 to ATWS-220. The CM was informed by the Lead EI that the operator was outlining the workspaces (albeit incorrectly) and created an impact 6-8 inches deep by 50-feet-wide by 164-feet-long. Topsoil was not yet segregated; therefore the grading and ground disturbance was up to approximately 6 to 8 inches-in-depth. The CM informed the Lead EI that a level 2 variance approval would be required to repair the disturbed area. The CM would follow-up on the location.</p>



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

Two Level 1 Variance Requests, four Level 2 Variance Requests, and one Level 3 Variance Request were approved during this period. A tabular summary of the requested and approved variances for the above-mentioned reporting period is presented below.

**SUMMARY OF APPROVED VARIANCES FOR THE NEXUS GAS TRANSMISSION PROJECT  
 APRIL 30, 2018 THROUGH MAY 6, 2018**

Variance Number	Variance Level <sup>a</sup>	Date Received	Location (Milepost)	Description	Status (Approval Date)
L2-SP2-011	2	4/28/18	N/A	Request for the like-use of an existing paved commercial lot for a laydown yard for the temporary storage of HDD equipment. Because multiple HDDs would be occurring in a similar timeframe, the contractor requested this location. No improvements or grading would be performed.	4/30/18
L2-SP1-023	2	5/1/18	TAR 13.5	Request to shift the TAR and associated workspace to avoid damaging a storm water catch basin located in the currently approved workspace. The contractor would utilize a portion of an existing road approach to allow for access and plans to extend the culvert that is currently installed.	5/1/18
L1-SP3-007	1	5/1/18	163.7	Request to place a hose in the roadside bar ditch and through a culvert crossing under State Highway 105 that would enable the contractor to pump water from the Portage River for use during the HDD. Outside of the boundary of the right-of-way, the hose would be placed in the bar ditch along the side of the road in the road's easement.	5/1/18
L1-SP3-008	1	5/2/18	147.2	Request to temporarily access an off-ROW area within the environmental survey corridor with the purpose of installing measures to contain an inadvertent release of drilling fluid using hand tools and light stationary equipment (e.g. hoses, pumps, light plants). The access 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 erosion and sediment control (e.g. straw bales, filter logs, silt fence) deployment. Any motorized stationary equipment would be staged inside secondary containment structures.	5/2/18
April 30 <sup>th</sup> Request	3	4/2/18	242.8	Request to utilize a portion of the NEXUS existing permanent easement as a new permanent access road (PAR) for ingress/egress to a newly-proposed mainline valve site.	5/2/18
L2-SP4-025	2	5/2/18	255.2	Requested permission to allow work to occur beyond daylight hours for 10 days (expiring on May 12) 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 was requested due	5/2/18



				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.	
L2-SP3-017	2	4/28/18	145.8 to 145.9	Request for use of a 25-foot-wide and 353-foot-long area for temporary work space in a cultivated crop field.	5/3/18

<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 14.0, View west of subsoil overlaying topsoil at road bore location yet to be resolved. The subsoil was pulled away later the same day.



Acceptable Compliance Level, Spread 1, MP 20.4, View south of sheet piling installation at the bore site.



Acceptable Compliance Level, Spread 2, MP 57.3, View west of the timber mat bridge at stream B15-50-S2.



Acceptable Compliance Level, Spread 2, MP 60.0, View southeast of straw bales that were added to the east side of the stream and wetland boundary to support the silt fence.



Communication Compliance Level, Spread 3, MP 163.4, View northeast at surface swale draining towards the Portage River. ECDs are recommended at edge of the ROW.



Acceptable Compliance Level, Spread 3, Wareyard 3-5, Follow-up to April 28 Communication Report, View southeast at safety fence repaired along wareyard perimeter.



Communication Compliance Level, Spread 4, MP 239.1, April 30 NEXUS environmental inspection team problem area documented at this location. View east at no ECDs installed at wetland E14-158 and sediment migrating off-ROW



Acceptable Compliance Level, Spread 4, MP 239.1, Afternoon follow-up to morning of April 30 observation. View west at silt fence installed sediment barrier at edge of off-ROW wetland E14-158 after grading.