

FILE



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November 5, 2009

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Rockies Express Pipeline Project, REX-East
Request to Commence Service (Mileposts 444.0 – 639.1)
Docket Nos. CP07-208-000 and 001

Dear Ms. Bose:

Pursuant to Environmental Mitigation Measure No. 9 of the Federal Energy Regulatory Commission's May 30, 2008 Order in Docket No. CP07-208-000, et al., Rockies Express Pipeline LLC ("Rockies Express") hereby submits its Request to Commence Service for facilities from milepost (MP) 444.0 (the Lebanon Hub meter station)¹ to MP 639.1 (the Clarington Hub meter station) for the REX-East project,² effective November 11, 2009. The submission of this request completes the REX East project, thereby completing an approximately 1,700 mile natural gas pipeline system that links competitive Rocky Mountain natural gas supplies with markets in the East, all to the benefit of consumers.

Specifically, this request includes in service authority for all pipeline facilities east of the Lebanon Hub to the REX East endpoint at the Clarington Hub, including:

- All mainline pipeline facilities between MPs 444 and 639.1;
- 6 meter stations:
 1. Columbia Gas (MP 539.6),
 2. Tennessee Gas (MP 592.4),
 3. Dominion Gas Transmission (MP 612.3),
 4. Dominion Gas Transmission (MP 639.1/ Clarington Hub),
 5. Dominion East Ohio (MP 639.1/Clarington Hub),
 6. Texas Eastern (MP 639.1/ Clarington Hub); and

¹ Milepost 444 is the eastern border of Spread F-2 of the REX-East Project and is inclusive of the Lebanon meter station. Rockies Express was granted authorization to go into service up through, and including, the facilities located in the Lebanon Hub meter station on June 25, 2009, as set forth in the Commission Staff's order on that date.

² The REX-East project was granted a certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act by the Federal Energy Regulatory Commission on May 30, 2008 in this docket. Rockies Express Pipeline LLC, 123 FERC ¶ 61,234 (2008). On June 2, 2008, Rockies Express, pursuant to Section 157.20(a) of the Commission's Regulations, 18 C.F.R. § 157.20(a), notified the Commission that it accepted the Commission's Order.

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- Two compressor stations:

1. Hamilton CS (MP 437.3),³ and
2. Chandlersville CS (MP 575.0).

In further support of this request, Rockies Express appends the following attachments: (1) a restoration status summary and "punch lists" (Attach. A), (2) a list of landowner complaints (Attach. B) and (3) a summary of all environmental compliance issues and resolutions (Attach. C).

As these documents and the inspection of the Commission Staff show, Rockies Express has completed initial restoration on approximately 89% of its project area east of the Lebanon Hub.⁴ Thus, of the 195.1 miles of remaining REX-East construction, Rockies Express has completed initial restoration on all but 21.9 miles of the pipeline facilities, along with various "punch list" items.

Rockies Express believes that it has met the requirements of Environmental Condition No. 9 that "rehabilitation and restoration of the right-of-way and other areas of project-related disturbance are proceeding satisfactorily," and, therefore, it is appropriate and in the public interest to authorize the facilities to go in service. During the week of October 12, 2009, members of the Commission Staff conducted an inspection of the construction activity of Rockies Express for the entire REX-East Project, from MP 0.00 to MP 639.1. Rockies Express believes that, as evidenced by the inspection, it has met the requirements of Environmental Condition No. 9 for all areas east of the Lebanon Hub, from MPs 444 to 639.1. Rockies Express submits that approval of this request is in the public interest where it will permit numerous markets in the Midwest and East -- all of whom have anticipated the completion of this section of the REX-East project by November 2009 -- to access competitive Rocky Mountain gas supplies for their supply portfolios for the 2009/2010 winter heating season.

Rockies Express continues to meet its obligations for all REX-East facilities that are "west of Lebanon" that were approved to go in service on June 25, 2009. Rockies Express has completed mainline restoration on all eight (8) spreads except for various punchlist items. Consistent with its Commitment Letter submitted to the Commission on September 24, 2009, Rockies Express continues to engage the contractors necessary to address satisfactorily remaining punch list items west of Lebanon. As set forth in the attachments to this request, pending landowner issues are being addressed by right of way agents who are coordinating with REX construction and the landowner to satisfactorily resolve complaints. Rockies Express will monitor unrestored areas (such as steep slopes with no vegetation) over the winter and until re-seeding takes hold.

Rockies Express seeks authorization by November 9, 2009 for all REX East facilities east of Lebanon, thereby placing the entire REX-East pipeline into service.

³ The Hamilton Compressor Station physically is located "west of Lebanon," at milepost 437.3, but has been completed as part of the "east of Lebanon" facilities.

⁴ Initial restoration includes the following: (a) subsoil horizons are reestablished and subsoil has been de-compacted, (b) topsoil horizons have been reestablished and the topsoil de-compacted for seeding, (c) necessary permanent erosion control devices are in place, and (d) seeding and mulching is complete where necessary. As set forth below, Rockies Express will complete initial and post-construction restoration in accordance with the Commission's regulations and the Commitment Letter filed with the Commission on September 24, 2009.

That date will allow Rockies Express to coordinate its postings to the market and to allow shippers to plan, nominate and flow gas as soon as the pipeline can accept gas.

If you have any questions regarding this request, please contact Doug Walker.

Respectfully Submitted,

/s/ R. Douglas Walker

R. Douglas Walker

President

Rockies Express Pipeline LLC

cc: Alisa Lykens
Laura Turner

ATTACHMENT A

REX EAST PIPELINE MILEPOST 444.0 – 639.1 SUMMARY OF RESTORATION STATUS AS OF 11/1/2009		
Begin MP	End MP	Restoration Status
Spread G (444.0 – 496.9)		
444.0	496.9	Initial restoration complete
Spread H (496.9 – 547.9)		
496.9	498.8	Initial restoration complete.
498.8	500.1	Deer Creek HDD installation area.
500.1	507.0	Initial restoration complete.
507.0	507.3	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
507.3	517.5	Initial restoration complete.
517.5	517.7	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
517.7	531.5	Initial restoration complete.
531.5	533.4	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
533.4	536.5	Initial restoration complete.

536.5	537.8	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
537.8	546.5	Initial restoration complete.
546.5	547.9	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
Spread I (547.9 – 577.5)		
547.9	568.9	Initial restoration complete.
568.9	574.3	Backfilled/stabilized. Temp. ECD's installed. Remaining restoration includes subsoil grade re-establishment /ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
574.3	576.9	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
576.9	577.5	Initial restoration complete
Spread J (577.5 – 608.9)		
577.5	602.0	Initial restoration complete.
602.0	606.0	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
606.0	608.9	Initial restoration complete.
Spread K (608.9 – 639.1)		
608.9	631.4	Initial restoration complete.

631.4	632.5	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
632.5	636.5	Initial restoration complete.
636.5	636.7	Subsoil grade reestablished. Temp. ECD's installed. Remaining restoration includes subsoil ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.
636.7	639.1	Backfilled/stabilized. Temp. ECD's installed. Remaining restoration includes subsoil grade re-establishment /ripping, topsoil replacement/ripping, permanent ECD installation, seed/mulch as necessary.

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

Tract	Road/WB/WL	MP	Issues	Date Complete
Spread A-1				
IL-PK-124.S02			Repair ditch in farm field caused by erosion from ROW	
MO-AU-134.000			Pick rock	
MO-AU-136.000			Check terraces for proper height and construction	
MO-AU-138.000			Check terraces for proper height and construction	
MO-AU-140.000			Pick rock	
MO-AU-141.000			Pick rock	
MO-AU-156.000			Remove debris	
MO-PI-007.N01			Repair existing road	
MO-PI-009.000			Repair existing road	
MO-PI-010.000			R-seeding necessary	
MO-PI-011.000			Repair ditch	
MO-PI-021.000			Check terraces for possible recontour	
MO-PI-023.000			Check terraces for possible recontour	
MO-PI-025.000			Check terraces for possible recontour	
MO-PI-026.000			Check pond for possible construction damage	
MO-PI-027.000			repair drain tile	
MO-PI-028.000			Check terraces for possible recontour, repair drain tile	
MO-PI-029.000			Check terraces for possible recontour, repair drain tile	
MO-PI-032.000			Repair erosion area	
MO-PI-034.000			Repair erosion; silt fence removed	
MO-PI-034.N01			Repair erosion; reseed; silt fence removed	
MO-PI-036.000			Repair erosion; reseed; landowner wants water bars and silt fence removed	
MO-PI-037.000			Repair erosion; reseed; landowner wants water bars and silt fence removed	
MO-PI-038.000			Repair erosion	
MO-PI-041.000			repair fence	
MO-PI-042.000			Check for low spots and possible re-grading and re-seeding; repair fence	
MO-PI-052.N01			repair existing road	
MO-PI-055.000			Additional gravel needed on existing road	
MO-PI-063.000			Pick rock	
MO-PI-064.000			Pick rock	
MO-PI-065.000			Pick rock and check for re-seeding	
MO-PI-065.N01			Pick rock and check for re-seeding	
MO-PI-066.000			Pick rock and check for re-seeding	
MO-PI-067.000			Pick rock and check for re-seeding	
MO-PI-068.000			Pick rock, repair erosion, check for re-seeding	
MO-PI-069.000			Pick rock, repair erosion, check for re-seeding	
MO-PI-070.000			Pick rock, repair erosion, check for re-seeding	
MO-PI-072.000			Check for possible re-seed and re-mulch	
MO-PI-074.000			Check terrace for possible re-contouring for drainage	
MO-PI-075.000			Check terrace for possible re-contouring for drainage	
MO-PI-075.000TAR			Check terrace for possible re-contouring for drainage	
MO-PI-078.001			Repair driveway	
MO-PI-082.000			Pick rock and check for proper decompaction	
MO-PI-091.000			Pick rock and check for proper decompaction	
MO-PI-091.000TAR			Pick rock and check for proper decompaction	
MO-PI-091.000TAR2			Pick rock and check for proper decompaction	
MO-PI-092.000			Pick rock and check for proper decompaction	

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

MO-PI-092.000TAR			Pick rock and check for proper decompaction	
MO-PI-094.000			Pick rock and check for proper decompaction	
MO-PI-094.000TAR			Pick rock and check for proper decompaction	
MO-PI-096.000			Pick rock and check for proper decompaction	
MO-PI-098.000			Pick rock and check for proper decompaction	
Spread A-2				
		72.5	Check for topsoil loss	
		74.3	Check for topsoil loss	
		74.3	Check for topsoil loss	
		74.4	Check for topsoil loss	
		74.7	Check for topsoil loss	
		75.0	Repair erosion	
		76.0	Check drain tile out-flow	
		76.2	Repair erosion	
		76.2	Check erosion	
		76.4	Check slump west of road	
		76.8	Check ECD @ outflow of drain exiting ROW	
		76.9	Check ECD at outflow of drain exiting ROW	
		77.9	Repair erosion	
		80.5	Check ECD at drain tile outflow	
		81.2	Check erosion	
		81.3	Check slump	
		82.9	Check slump	
		87.5	Check top-soil loss from Ag field; reseed if necessary	
		87.5	Check drain tile outlet @ outflow	
		87.7	Check for top-soil loss from adjacent Ag field; check ECD at drain tile outlet	
			No ECD @ outflow	
		87.8	Repair fence	
		89.6	Check erosion	
		91.7	Check water bars	
		92.4	Check water bars	
		92.9	Check ECDs	
		93.1	Check slump	
		93.3	Check slump; Repair Water bar failure	
		93.3	Check drain tile outlet	
		93.3	Remove debris	
		93.5	Check ECD at drain tile outlet	
		94.3	Check waterbar	
		94.6	Check ECD @ drain tile outlet	
		94.6	Check waterbar for breach	
		94.7	Repair erosion	
		94.7	Check drain tile outlet	
		94.7	Repair waterbar	
		94.9	Repair waterbar and erosion	
		95.0	Repair erosion	
		95.6	Repair water bar	
		95.8	Repair Erosion	
		95.9	Check slopes for erosion	
		96.0	Repair water bar	

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Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

GAS Rd 21	161.4	Check grade and possible re-seeding	
GAS Rd 21	161.5	Check grade and possible re-seeding	
CIS Rd 22	161.8	Repair slope breaker	
CIS Rd 22	161.6	Check grade and possible re-seeding	
CIS Rd 22	161.8	Check grade and possible re-seeding	
GAS Rd 22	162.1	Check grade and possible re-seeding	
GAS Rd 22	162.6	Repair erosion	
CIS Rd 23	162.9	Check grade and possible re-seeding	
CIS Rd 24	163.9	Retrieve silt off ROW. Check grade and possible re-seeding	
CIS Rd 25	164.3	Check for possible tile or grading problem	
GAS Rd 25	165	Check for possible re-seeding	
GAS Rd 25	164.99	Needs two short fences across ROW replaced. 8717+92 and 8708+06 (approx.)	
CIS Rd 27	166	Check for possible tile or grading problem 8789+00	
CIS Rd 27	166.9	Check for low spots and possible regrading	
CIS Rd 28	167	Seed and mulch grass strip. M/P 166.7 sta. 8799+35 to 8800+00.	
CIS Rd 29	168	Raise berm at property line, shape reseed and mulch waterway from property line to yard 8868+00	
CIS Rd 30	168.9	Repair ditch in field and road between tracts 8914+79	
Rd 33	171.2	Add seed to road banks.	
CIS Rd 33	171.1	Check for possible tile or grading problem 9032+00	
GAS Rd 33	171.4	Check for possible tile or grading problem 9046+00	
GAS Rd 35	172.2	Pick up skids and boards buried to 200' up ROW 9089+00	
GAS Rd 36	174-174.3	Seed and mulch waterway	
GAS Rd 37	174.4	Check grade	
GAS Rd 37	174.5	Fix ditch beside drive and seed 9215+55	
GAS Rd 37	174.8	Check for low spots and possible re-grading	
CIS Rd 38	174.9	Check for low spots and possible re-grading	
CIS Rd 39	175.5	Check for low spots and possible re-grading	
GAS Rd 39	176	Repair erosion	
GAS Rd 39	176.7	Check for possible tile or grading problem 9328+11	
CIS Rd 40	177.2	Check for possible tile or grading problem 9358+00	
GAS Rd 40	177.7	Check for possible tile or grading problem 9365+00	
GAS Rd 40	177.8	Pick up rocks on ROW 9377+00	
CIS Rd 41	178.7	Repair erosion	
CIS Rd 41	178.9	Repair drain tile	
CIS Rd 41	178.9	Pick up debris from road to creek 9445+86	
GAS Rd 41	179.4	Check for possible tile or grading problem 400' W of drive 9486+94	
CIS Rd 42	180.1	Check for possible tile or grading problem 8512+69	
CIS Rd 43	181	Check for possible tile or grading problem	
GAS Rd 43	181.4	Check grade	
GAS Rd 43	181.5	Check for possible tile or grading problem 9591+53	
GAS Rd 43	182	Check grade	
CIS Rd 44	182.6	Pick up debris trash Rd 43 - Rd 44. Both sides of ROW 9580 to 9635 and boards by marker pole.	
GAS Rd 44	182.6	Check for low spots and possible re-grading	
GAS Rd 44	182.9	Check for low spots and possible re-grading	
GAS Rd 44	183	Check for low spots and possible re-grading	
CIS Rd 46	183.9	Possible tile or grading problem 9700+00	
CIS Rd 46	184.1	Possible tile or grading problem 9722+00	
CIS Rd 46	184.2	Check for low spots and possible re-grading	

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

CIS Rd 46	184.5	Possible tile or grading problem by road 9742+00	
Rd 46	184.5	Grass lane needs to be seeded and mulched (MP 185, station 9769+15). Pick up trash by marker pole.	
GAS Rd 46	184.9	Check for low spots and possible re-grading	
CIS Rd 47	185.5	Check for low spots and possible re-grading. Grassy waterway needs restoration (MU-041) 9780+00. Check grass lane at 9769+15 for possible recontour, seed and mulch.	
GAS Rd 47	185.6	Check for possible tile or grading problem 9796+00	
CIS Rd 50	187.9	Check grade	
CIS Rd 50	187.9	Shape seed and mulch waterway 9920+00	
GAS Rd 50	188.1	Check grade	
GAS Rd 50	188.2	Check grade	
CIS Rd 51	188.3	Check for low spots and possible re-grading	
CIS/GAS RD 50	187.99-188.1	After topsoil decompaction, the cultural resource site and landowner's garden needs to be seeded and mulched 9934+70 to 9938+60, and THEN remove the safety fence around the cultural resource site.	
CIS Rd 51	188.9	Pick up sticks and rocks first 300' from road 9973+18	
GAS Rd 51	189.2	Check grade	
CIS Rd 53	190	Check for low spots and possible re-grading	
Spread C			
CIS WB-193-BBB	193.6	Repair tile	
590 Gas	193.7	Repair tile	
Rd 590 Burbon GAS	193.9	Needs dirt put on waterway, graded, seeded and mulched	
Rd 800 CIS	195.8	Check for low spots and possible regrading	
Rd 800 GAS	196.3	Check for low spots and possible regrading	
900 Gas 10389+78	196.8	Check for low spots and possible regrading	
Hwy 57 Cis	198.8	Check for low spots and possible regrading	
WB-198-AAA Cis	198.8	Check erosion	
1275 GAS	201.2	Repair subsidence area	
WB-199-A Cis	201.3	Check erosion	
Hwy 130 Cis	203.6	Check for low spots and possible regrading	
Hwy 130 GAS	203.6	Check for low spots and possible regrading	
1675 Cis	204.7	Check for low spots and possible regrading	
1965 Cis	207.6	Check for low spots and possible regrading	
1965 Gas	208.4	Check for possible additional re-seeding both sides of WB-206-B bank tops	
2065 Cis	208.7	Repair erosion and add seed to both sides of WB-206-A	
2360 Cis	210.8	Check for low spots and possible regrading	
2360 Gas	211.6	Check for low spots and possible regrading	
2360 Gas	212.9	Check for low spots and possible regrading	
2510 Cis	213.2	Repair water bar	
2510 Gas	213.3	Check for low spots and possible regrading	
Hwy 49 Cis	216.3	Repair erosion	
500 GAS	219.9	Check for low spots and possible regrading	
575 Cis	220.1	Check for low spots and possible regrading	
700 Gas	222.8	Needs matt removed Cis RR tracks	
850 Cis	222.6	Check for low spots and possible regrading	
Private drive 11991+34	227.1	Check for low spots and possible regrading	
Hwy 9 Gas	227.6	Check for low spots and possible regrading	
1350 Cis	228.2	Check for low spots and possible regrading	

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

	1425	228.9	Repair subsidence area
	1425 Gas	229.3	Add slope breaker, fix ditch and reseed
	Hwy 150 Cis	230.4	Check for low spots and possible regrading
	1725 Gas	231.9	Check for low spots and possible regrading
	1775 Gas	232	Repair erosion
	1775 Gas	232.9	Repair drain tile
	Access Road to valve Cis	233.8	Check for low spots and possible regrading
	Access Road to valve Gas	233.8	Repair erosion
	2050 GAS	235.3	Check for possible regrading
	WB-235-AAA	235.5	Repair erosion
	2175	236.2	Install permanent field entrance and clean out field ditch
Spread D			
	Stiles Rd.	304.50	Repair and continue waterbar on west side of McCracken Creek
	W500S	296.70	Remove debris pile, trash
	E 500S	296.20	Seed grassy waterways, disk travel lane,
	W550S	291.10	Remove debris
	W400S	295.50	Remove debris
	S250W	294.00	Repair culvert W side of road
	S450W	291.40	Trash on ROW.
	S450W	291.80	Erosion repair
	600W	289.60	Drain tile repair
	Mustang Access Rd	284.40	Repair erosion
	Plum Creek		Repair erosion
	400W		Repair erosion
	725W to Byrd Branch	288 - 269	Remove debris
	WB-IN-263-C	266.70	Remove silt fence
	550 Rd. Little Raccoon	260.48	Remove debris and repair erosion on hill, east side of Little Raccoon Creek.
	150E	257.70	Remove debris
	80E	257.20	Install East side fence
	Temporary Access Road	256.20	Check for possible reseeding.
	West side 249-BB	249.81	Check/repair erosion
	550W	249.50	Remove road access rock
		249.50	Pick rock
		249.50	Remove debris
	S360E	245.80	Remove debris
	Little raccoon	245.10	Repair E bank erosion
		244.70	drain tile ditch settling, N edge ROW
		241.95	Remove safety fence and check for low spots and possible re-grade
		241.95	Rocks, stakes, silt fence at sink hole, settling from drain tile
	HWY 71	240.30	West side north corner repair ruts in ROW
		239.50	700 ft drain tile to be installed-FRED COX NOTIFIED
		238.30	Repair subsidence at Drain Tile-Fred Cox NOTIFIED
	GAS E500S	243.20	Check grade of access pad and bar ditch to match flow
Spread E			
IN-MN-018.000			Check/repair erosion on hill side
IN-MN-019.000			Erosion on hill side

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

IN-MN-027.001		Check erosion	
IN-MN-027.S01		Check erosion	
IN-MN-032.006		Check for low spots and possible re-grading	
IN-MN-053.S06		Check grade	
IN-MN-061.S01		Check grade	
IN-JO-213.S01		Remove temp fence	
IN-JO-227.000		Vinyl fencing replaced, driveway repair, seeding	
IN-JO-260.000		Check for low spots and possible re-grading	
IN-JO-261.000		Fencing, seeding	
IN-JO-262.000		Fencing, seeding	
IN-JO-269.000		Repair water bar	
IN-JO-303.000		Seeding, fence	
IN-JO-319.000		Repair erosion and check for low spots and possible re-grading	
IN-SB-085.000		Remove debris	
IN-SB-087.001		Remove debris	
IN-SB-087.002		Remove debris	
IN-SB-146.000		Pick up rock	
IN-SB-147.000		Pick up rock	
IN-SB-203.S01		Check erosion and check pond	
IN-SB-204.000		Gravel lane	
IN-SB-205.000		Gravel lane, put back fence	
IN-SB-206.000		Put back fence	
IN-SB-209.000		Gravel lane	
IN-SB-213.000		Check for low spots and possible re-grading	
IN-SB-214.000		Check for low spots and possible re-grading	
IN-DC-073.000		Check grade	
Spread F-1			
	Spreadwide	Removal of remaining ECD's spread wide.	
IN-FR-019.001, 019.S02			
020.000		Check grade and erosion	
	Pipe Creek	Check for low spots and possible re-grading	
	Salt Creek	Repair east and west banks	
		Repair erosion	389 - 392
109.001, 110.000	Highland center Rd	Check for low spots and possible re-grading	
129.001		Check for possible tile or grading problem	
	Big Cedar Rd	Check for possible tile or grading problem.	
Spread F-2			
	Spread wide	Removal of remaining ECD's spread wide.	
053.000,055.000,057.000		Check grade	
	WB-OH-400-B to Reilly	Check grade and slope breaker	
	Millville Rd.		
OH-BU-105.000		Restore grass waterway	
WB-OH-411-A		Check ECDs at waterway banks	
OH-BU-174.000		Check grade	
OH-WA-024.004, 005,		Pick rock	
Spread G			
OH-WA-024.005		Pick rock (away side of Hwy 122)	444
OH-WA-031.000		Check low area to East for possible re-grading	445.2
OH-WA-034.000		Remove timbers in R.O.W., pick rock	446.3

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

OH-WA-036.000		446.5	Pick rock and remove timbers	
OH-WA-041.000		448	Pick rock	
OH-WA-042.S01		448	Check for low area and possible re-grading	
OH-WA-044.000		448.3	Correct access across pipeline	
OH-WA-063.000		451.6	Check for low spots at HDD & Bore location for possible re-grading.	
OH-WA-066.N02		451.7	Pick rock and seed	
OH-WA-073.000		452.3	Repair driveway	
OH-WA-075.N01		452.3	Repair erosion in back of property	
OH-WA-084.000		454.2	Check for low spots and possible re-grading	
OH-WA-085.000		454.3	Repair erosion; correct fences; remove gravel in drive & pad; drag drive	
OH-WA-087.000		455.2	Repair erosion	
OH-CT-006.000		460	Re-grade ruts and transition	
OH-CT-007.000		460.1	Check water line for repair	
OH-CT-027.000		463.1	Check for low spot and possible re-grading	
OH-CT-049.000		466.6	Gravel on drives (2) 1 part done; repair property pens	
OH-CT-050.000		466.7	Check for low spots and possible re-grading	
OH-CT-058.000		468	Add base and gravel on lane crossing R.O.W (ONE NEEDED)	
OH-CT-061.000		469	Repair property pens, seeding	
OH-CT-062.000		469	Repair property pens, seeding	
OH-CT-077.000		472.5	Check for low spot and possible re-grading or drain tile repair @ entrance	
OH-FY-005.000		477.5	Remove debris	
OH-FY-013.000		480.1	Check for low spot and possible re-grading or drain tile repair	
OH-FY-021.000		484	Replace concrete marker	
OH-F7-021.S02		484	Add gravel in lane, replace gate, replace concrete marker	
OH-FY-028.S01		485.5	Re-grade and remove stumps	
Spread H				
OH-FY-069.000	GA Knight	497	Check low spots in ag field for possible re-grading	
OH-PW-002.000	GA Waterloo	500.1	Check low spot for possible re-grading; area needs smoothed where silt fence was removed at creek.	
OH-PW-003.000	GA Waters Rd	500.4	Check low spots for possible re-grading; correct water bar holding water at wb-499.bbb.	
OH-PW-026	CI 5 pls.	504.8	Waterbars on slope need reshaped, waterbars holding water, silt fence needs removed.	
OH-PW-030.000	GA 5 pls.	505.3	Grass strips need seeded.	
OH-PW-35/36	GA Justus Rd.	506.2	Check low spot for possible re-grading	
OH-PW-048	GA London Rd.	508.9	Remove excess rock and re-grade edges of ROW	
OH-PW-057	Off of Darby Rd.	510	Tile repair needed, sides of access rd need seeded.	
OH-PW-060	Off of Darby Rd.	510.2	Area near creek needs recontoured.	
OH-PW-067	CI Turney Caldwell	511.1	Gravel drive that crosses the ROW is washing; re-apply gravel and check drainage.	
	GA Hwy 23	515.3	Access Rd needs ripped leading to drill pad.	
OH-PW-090	CI Lockbourne	517.5	Several sink holes, waterbar needs moved, silt fence needs removed and tile work possible.	
	GA Cromely Rd.	516.7	Stumps need removed, remove excess rock in ag field, timber area needs graded and access rd needs rocked.	
OH-PW-089				
OH-PW-092	GA Lockbourne Rd.	517.8	Stumps need removed.	
OH-PW-093	GA Lockbourne Rd.	518	Rocks and wood debris in field need removed; check ditch line for subsidence and re-grading	
OH-PW-111	CI Bloomfield Rd.	520	Sink hole CI side of access rd, low spot at creek big rocks in field.	
	GA Bloomfield Rd.	520.5	Grade Issues, Grass areas need seeded near creek, approach rock needs removed CI side of Winchester Rd.	
OH-PW-113				
OH-PW-114	CI Eitt Nocher.	521	Check low spots in ag field for regrading, access rd edges need seeded.	
OH-PW-116	CI Eitt Nocher.	521.8	Tile repair needed.	
	GA 674 Hwy			

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

OH-FF-001.000	CI Royaltown Rd.	524.6	Approach rock needs removed.
OH-FF-005	GA Royaltown Rd.	525	Existing access rd needs rocked and built across the row.
OH-FF-011.	CI WB-511-A	526.6	Waterbar needs repaired.
OH-FF-12	CI Amanda Northern	527.5	Tile repair needed.
OH-FF-28	GA Alsapach	529.6	Check wet spot on ROW for drain tile or settling
OH-FF-29	CI Pickerington	529.9	Rock needs removed from bar ditch.
OH-FF-39	GA Lithopolis	531.1	Area needs mulched where culvert drains under road
OH-FF-74	CI Rainbow Rd.	536.25	Fence issues and standing water.
OH-FF-84	CI Hwy 37	538.5	Fence issues and gravel drive needs rocked.
OH-FF-089.1RD	CI Old Millersport	539.5	Bar ditch needs fixed.
OH-FF-090.000	GA Old Millersport	539.6	Drain tile exposed
OH-FF-090.000	GA Old Millersport	536.8	WB-OH-536-FF banks need re-seeding.
OH-FF-091.000	GA Old Millersport	540	Check low spot for re-grading.
OH-FF-092.000	GA Old Millersport	540.3	Check three low spots for re-grading
OH-FF-092.000	GA Old Millersport	540.4	Erosion in upland area that needs seeded
	GA Old Millersport	539.8-540.5	Between Old Millersport and 188 needs reseeded in upland area.
OH-FF-094.00	GA 188	540.7	Check low spot for re-grading; yrd needs seeded and stump needs removed.
			Check multiple low spots for re-grading; correct slope breaker holding water, recover sediment off ROW
OH-FF-096.00	GA 188	541	
OH-FF-103	CI Elder Rd.	543.5	Debris needs removal from field and bar ditch needs regraded.
OH-FF-104	GA Elder Rd.	543.6	Area on both sides of wetland needs recontoured and seeded.
OH-FF-105	GA Elder Rd.	544	All crop ground needs seeded.
OH-FF-107	CI Fairfield Union	544.5	Needs seeded and fenced.
OH-FF-124.S01	GA Richland Rd.	545.5	Area needs seeded from creek to wetland area.
OH-FF-127	CI Gun Barrel Rd.	546.4	Remove Dewatering Structure. Work topsoil when area becomes dry enough.
Spread I			
		548.8 28935+00	Repair drain tile.
		549.5 28966+62	Remove rock and geo-tech from old access pad.
		549.8 28982+00	Rebuild water bars on hill so water drains off ROW. Repair erosion. Reseed, fertilize and mulch.
		to 28988+00	Repair erosion caused by water flow at the base of the hill.
		551.1 29057+00	Smooth up grade in residential area.
OH-PY-015.004		to 29060+00	
		553.2 29163+00	Repair drain tiles.
		553.9 29198+00	Smooth up grade in residential area.
OH-PY-029.002		to 29201+00	
		554.9 29252+25	Repair grade where water is standing in field.
		556.1 29325+80	Repair grade and trench subsidence where water is standing in field.
		556.2 29328+13	Repair grade of bar ditch.
		566.1 29850+23	Restore east bank to original elevation. Fix area adjacent to east bank where water is ponding.
	WB-OH-548-C		
		562.5 29664+64	Repair ruts in road.
Spread J			
		582.1	Return hill to natural contours. Repair Water Bar
		582.7	Remove sediment from hay bales running adjacent to water body on the north side of ROW
		585.2 30872+00	Repair water bar on western bank. Repair fence. Mulch erosion on eastern bank
	WB-OH-585-AAAA		
		585.2 30873+00	Repair erosion to hill side on the eastern side of waterbody
		586.9 30950+13	Repair overloaded water bar and erosion
			Repair blown out water bar and erosion

Rockies Express Pipeline LLC
 REX EAST Punchlist
 Updated 11/2/2009

	WB-OH-573-A	588.1 31014+10	Repair water bars on western and eastern banks and on hills leading up to banks. Repair fence.	
	WB-575-C	590	Mulch erosion on bank. Check for possible re-seeding.	
	GAS HWY 60		Repair blown-out water bars and repair erosion on the western and eastern hills going into wb.	
		GN 026, 028 & 029	Correct subsidence over ditch line @ come out hole of road bore	
	Okey & Pine Lake Road		Water bars in pasture area too big for LO's equip. to travel over; additional gradework may be necessary	
	WB-OH-577-B	591.9	Remove road approach rock both sides	
		584	Banks of waterbody need seeding.	
	WB-581-B	596.1	Remove timber debris in ag field	
		577.5 - 581.5	Check/correct subsidence in waterbody and re-grade in ag field	
		577.5	Flagging, stakes and signage need to be removed	
		577.5	Seed & stabilize CIS HWY 60 (bar ditch)	
		577.5	Remove flagging on power poles	
		577.6	Repair blown-out slope breaker above well road. Repair erosion on south side of ROW	
		577.8	Repair erosion in swale	
		577.8 - 577.9	Re-seeding needed	
		577.9	Check/correct deep cracks appearing in steep slope	
		Spread Wide	Water bars have erosion channels in throats, need HB checks installed and reseeded	
Spread K		Spread Wide	Survey Laths need picked up after the installation of the line marker posts	
		613.8 - 613.9		
		613.5	Repair erosion and re-seed	
		614.2-614.3	Install ECDs at ends of two permanent slope breakers	
		612.6-613.3	Re-seeding needed	
	WB-OH-615-EEE	616.6	Repair erosion and re-seed	
		615.6-615.5	Re-seeding needed	
		614.5-614.7	Re-seeding needed	
		614.07	Replace straw bales on the NE side of WB	
		614.38	Replace straw bales on S side of ROW	
		614.07-614.38	Re-seeding needed	
		610.19-611.99	Re-seeding needed	
	WB-OH-610-BBB	611.41	Remove/repair loose curlex in waterbody	
		611.63-611.97	Install ECD's at the end of permanent slope breakers	
		611.58	Seed/seed-aid needed in area of Dominion Valve	
	WB-OH-633-CCCC	633.18	Correct curlex installation on east bank of waterbody	
	WL-OH-618-A	633.68	Correct curlex installation on both banks of waterbody	
	WB-OH-618-C	633.71	Correct curlex installation on both banks of waterbody	
			Clarington Hub station. Re-contour landslide area on the north east side	

ATTACHMENT B

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
Pending					
A1	1/12/2009		Off-line	LO requests compensation for loss of hunting business due to construction activities.	ROW was reviewing claim.
A1	10/20/2009	35	MO-PI-069.000	Topsoil gone; left with only rock. Erosion problems; berms are wrong. Agent not responding.	10/28/09: No new information received from ROW agents. Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
A2	10/20/2009		IL-CS-048.000 various	Mud hole on pipeline tracts.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
A2	10/28/2009	104	IL-MO-090.000	Field does not drain correctly. Suspect tile cut. Never had problem before.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
A2	10/27/2009	106	IL-MO-100.S03	Fence is loose; corner posts needs reset.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
A2	10/26/2009	131.5	IL-SA-266.000	Waterway was taken out now causing gully erosion; spoke to agent last April; has not been fixed.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
A2	10/28/2009	79.5	IL-SC-046.S01	Wants info on bentonite left on property. Has blown all over. Mortgage company prohibits use of hazardous materials on property. Also, dirt around mud pit has not been removed.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
D	10/26/2009	253.5	IN-PE-039.000	Silt in pond; two waterways not restored; one needs constructed; dirt removed that was not put back; roadway needs white rock base put back; drive to "old house" needs more rock.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
D	10/23/2009	269	IN-PU-014 & 015	No payment for cutting of timber.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
F1	10/28/2009	397	IN-FR-143.003	REX took topsoil to build a levee; nothing left but gravel and rocks.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
F2	10/27/2009	409.5	OH-BU-046.000	Tile and water problems; need tile repair. Has complained before but it is still not working.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
G	10/22/2009		OH-WA-056.000	Driveway still not restored or regraded.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
G	10/19/2009	469	OH-CT-062.N01	Fence issues.	Pending. Survey pins have been requested.
H	10/23/2009	518	OH-PW-093 and 095	Pile of dirt in field needs removed.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
H		520.5	OH-PW-013.000	Issues with restoration have not been resolved.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
H	10/28/2009	540.5	OH-FF-095.000	No seeding has been placed; afraid it will erode.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
I	9/17/2009		Offline	Complaint of dust and mud slide damage at off-line property.	ROW is investigating and will review with Chief Inspector and KM Rep. Pending.
I	10/26/2009	343	IN-SB-220.S02 & 221.000	Staked straw bales across ROW preventing LO from harvesting crops. Has not heard back from ROW agent from call on 10/13/09.	10-28-09: Resolution being worked on. Pending depending on LO being able to harvest.
I	10/19/2009	532.5	OH_FF_048.000	Tile problem; standing water; nothing accomplished by ROW agent.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
J	10/27/2009	562.5	OH-PY-057.N02	Access road has ruts and needs restored.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
J	10/26/2009	580.5	OH-MK-190.000	Fence and property stakes removed and need put back. Old fence still lying on ground. Trees may have been cut off-ROW.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
J	9/28/2009	583.7	OH-MK-205.000	Dry stream restoration timeline. LO was told they would restore three weeks ago.	Rubber tired equipment to be moved back for restoration. Pending. 10-28-09: No new info from ROW.
J	10/23/2009	596.7	OH-GN-035.000	Well flow affected by blasting; mud and rocks in field with low spots; ditches are not right.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
J	10/23/2009	602	OH-GN-078 & 079	Water in yard; tire in ditches; mud on property that slid through silt fence; dust on and in house and furniture.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
J	10/22/2009	603.5	OH-GN-091 and 092	Trash on property; trees cut down; rocks in field; no responses.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
K	10/26/2009	618.5	OH-BK-004.000	Fence not repaired right; Crews removed a section that should not have been touched.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
K	10/23/2009	627.7	OH-BL-042.000	Sowed wrong seed; rocks pushed into meadow off-ROW; water draining onto adjacent property now; rocks needed at culvert.	Pending. Recent submittal. Landowner contacts have been initiated by REX ROW agent. Resolution will be completed by construction in coordination with landowner.
K	10/16/2009	632.5	OH-BL-068.000	Hotline Call. Spring disrupted. LO has not heard back from REX.	ROW notified FERC that negotiations are ongoing. Pending.
K	10/16/2009	632.7	OH-BL-068.000	Construction disruption of a spring and pond.	ROW reviewed status of issues with LO and contractor. Pending. 10/28/09: No new info from ROW.
Resolved					
G	8/31/2009		Offline	LO made claim for damages he asserted were caused by REX on adjoining property.	ROW phoned LO and advised REX did not operate on his property and there are no damages caused by REX and that REX did not restrict his use or access. 10/07/09 update: REX ROW compensated LO for claim. Resolved.
G	8/4/2009	450.5	OH-WA-057.000	Driveway needs more gravel to repair from use/damage.	08/05/09 contractor added necessary gravel to make repairs. Resolved.
G	7/23/2009	457.4	OH-WA-101.000	Mud layer on access road requires gravel to cover mud.	Gravel was delivered the same day. Resolved.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
G	6/3/2009	459.9	OH-CT-006.000	Concerns over entry for HDD and access.	Update, 07/01/09: ROW Agents provided LO with work requirements and fencing plans. LO elected to relocate and stay with relatives during construction. Resolved.
G	4/25/2009	485.7	OH-FY-028.000	Complaint of parties on property without notice.	Agent was able to determine that the party was REX or Contractor staff. Resolved.
G	7/23/2009	491	OH-FY-041.000	Four-wheelers accessing ROW.	ROW agent requested law enforcement to patrol the area in off-hours. Resolved.
G	5/29/2009	offline	offline	Construction caused well to dry up.	Agent confirmed that well was dry due to operating well points across from landowner on Corwin Road. Agreed to cover cost of relocation for landowner & family and to dig a new well. Landowner agreed to have REX provide temporary tanks of water and bottled water. REX will pay for new pump motor when well recovers. Will monitor well for recovery. Issues resolved but pending monitoring for well recovery.
H	6/26/2009		OH-FF-076.000	Driveway access damage.	Driveway repaired. Resolved.
H	6/25/2009		OH-FF-076.000	Damaged fence and loss of livestock.	Landowner compensated for fence and a calf. Resolved.
H	2/5/2009		OH-PW-047.000	Drill slurry is not being dumped as the LO would like.	ROW met with LO and tenant. At the tenants request, the material will be piled for his use as agreed. Resolved.
H	6/25/2009		OH-FF-118.S04	Septic system damaged.	Agent provided health department requirements to contractor to implement repairs. Pending.
H	9/16/2009		OH-FF-084.000	This is documented because the LO only wanted to know the restoration schedule.	07/22/09-Certified contractor made repairs. Resolved.
H	6/25/2009		OH-PW-040.000	Dewatering bag left blocking access to a cabin.	ROW estimated restoration schedule for LO. Resolved.
H	8/24/2009	505.3	OH-PW-030.000	Concerns with restoration.	Bag was removed by contractor. Resolved.
H	8/13/2009	505.3	OH-PW-030.000	LO had re-seeding questions.	ROW agent met with Mr. & Ms. Boyer walk the property to address all concerns.
H	7/15/2009	505.9	OH-PW-035.S01	Loss of water from well due to dewatering.	09/02/09: ROW met with LO and assured them they would be added to punchlist. Resolved.
H	7/16/2009	512.7	OH-PW-074.000	Trees cut were supposed to be left for LO on side of ROW, but were not.	Will be re-seeded with cover crop of winter wheat or rye. Resolved.
					ROW had a water supply tank installed for use until dewatering is complete and well recovers. Resolved.
					ROW agents compensated LO for trees. Resolved.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
H	5/11/2009	515.4	OH-PW-087.000	LO complained of pea gravel being dumped instead of drilling mud as agreed to.	Land agent to meet with LO. Pending. 09/16/09: ROW had met with LO and explained that some drilling fluid will contain some pea gravel. Resolved.
H	8/4/2009	531.4	OH-FF-039.000	Damage to phone service and driveway.	AT&T was called in for repairs to phone. Scheduled to repair. Contractor repaired driveway. Pending phone repair only. 08/12/09 UPDATE: ROW reports phone service is repaired. Resolved.
H	7/7/2009	536.8	OH-FF-079.S01	Temporary fence did not contain calves.	Agent walked the property with LO and accounted for all livestock. Fence was repaired to ensure the electric charge is working. Resolved.
H	5/23/2009	543.6	OH-FF-104.000	Silt runoff entering pond.	Agent to meet LO and request EI to have additional ECD's installed. Pending. 09/16/09: Follow up report forwarded from ROW reflects that additional ECD's had been placed, and REX would review after construction is completed. Resolved with no new issues.
H	7/7/2009	545.2	OH-FF-120.S01	Lawn mower damaged by construction debris and drains from septic have been crushed.	Agent is coordinating with Chief Inspector. Pending. 07/22/09: Damage to mower was determined to not be from construction debris; septic system contractor made repairs. Resolved..
I	5/25/2009		OH-PY-041.000	Wanted water in pond tested due to finding a dead calf near the pond.	LEI coordinated with for sampling pond water. Pending lab results after testing. 08/05/09-ROW update reflects that results were received and furnished to landowner. Resolved.
I	5/31/2009		OH-FF-136.000	Electric fence not working.	Fencing repair representative fixed fence and will forward bill for payment. Resolved.
I	8/8/2009		OH-MK-012.000	Access road needs repaired.	ROW compensated LO to have repairs done at his leisure. Resolved.
I	6/24/2009		OH-PY-030.000	Field access road eroded by rain storm; could not access field.	Access was repaired. Resolved.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
I	9/9/2009		OH-MK-013.000	Water line damage.	ROW is paying for temporary hauled water. Pending repair when restoration is completed here.
I	7/29/2009	551	OH-PY-015.002	Driveway access damage.	10/07/09: REX ROW is drilling new well for LO. Resolved. Contractor had been rained out. Will repair when contractor returns.
I	6/9/2009	551.8	OH-PY-015.009	Disruption of water supply.	ROW update 08/05/09 reflects gravel was added to drive and this resolved.
I	6/20/2009	552	OH-PY-015.009	Silt and mud from storm flowed over driveway and around barn.	Water well running dry. Cloudy material in water. LO alleges stringing truck damaged line, causing leak. Pending.
I	6/19/2009	557.8	OH-PY-041.000	Run off silt entering pond and driveway damage. LO insists on a pond dig-out and new gravel for drive upon construction completion.	07/22/09-Landowner changed his own water supply and resolved... LEI had additional ECD's installed and had hand crews clean up sediment off-ROW. Resolved.
I	7/16/2009	560.5	OH-PY-050.1RD	Township requested dust control.	LEI installed additional ECD's to prevent erosion run off. Resolved for now.
I	8/20/2009	563	Off line landowner	Silt off ROW in Spring.	ROW requested contractor implement dust control and follow-up with township. Completed and Resolved.
I	8/18/2009	563.4	OH-PY-065.000	Mud slide and ECD repair complaints. Mud into yard area.	REX compensated landowner to repair overflow line from spring. ROW contacted chief inspector to have clean-up performed. Contractor responded and cleaned up mud. ROW confirmed satisfaction by landowner. Resolved.
I	8/18/2009	563.8	Off-line	Mud slide and ECD repair needed. Repair drive and remove sediment from garden.	ROW compensated landowner for damages and clean up. Resolved.
I	8/14/2009	565	Off-line	Dust complaint.	ROW contacted chief inspector to have dust abatement increased. Resolved.
I	7/7/2009	566.4	OH-MK-002.000	Phone line severed.	Agent contacted Chief Inspector to have the contractor call phone company for repairs. Agent also offered pre-paid phone card until it was fixed. Resolved.
I	11/25/2008	566.5	OH-MK-003.000	Surveyors in field without prior notification. Horses in field bite.	Land agent met with LO and advised surveyors were just doing their authorized jobs. Crews will give future advanced notice when entering for surveys.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
I	7/16/2009	570.5	OH-MK-120.000	Complaint of dust and of contractor reckless driving.	Dust abatement measures were implemented and contractor employee was reprimanded. Resolved.
I	10/22/2009	578.5	OH-MK-168.000	Bank too steep to mow. Have not had any response.	REX considers it complete. LO still unsatisfied. REX considers it resolved.
I	5/7/2009	578.5	OH-MK-168.000	Clearing crew left wood chips behind.	Clearing crew cleaned up chips. Resolved.
I	10/26/2009	578.5	OH-MK-168.000	Second complaint on bank too steep to mow. No response.	REX considers it done properly. And this resolved.
I	5/19/2009	578.5	OH-MK-168.S01	LO culvert plugged by contractor.	Agent notified landowner that Chief Inspector was notified culvert was cleaned out.
I	4/16/2009	578.8	OH-MK-168.S01	A vehicle turned around in driveway, rutting up an area of lawn.	ROW agent met with landowner and completed compensation for damages transaction. Resolved.
I	5/23/2009	580.0	OH-MK-188 & 186	LO complaint of dirt pile blocking drive.	Agent had contractor remove dirt pile to unblock drive. Resolved.
I	5/8/2009	580.5	OH-MK-189.000	Power was out due to a tree cut down.	Power company notified and made repairs and restored power. Resolved.
I	5/25/2009	581.0	OH-MK-191.000	Severed gas line to LO home.	Land agent contacted chief inspector to contact licensed contractor to restore gas service to home. Pending.
I	5/26/2009	581.5	OH-MK-195.000	Construction dust abatement issues.	5/22/09-A licensed contractor repaired the line. Resolved.
I	5/23/2009	592.5	OH-GN-002.000	Clearing crew encroached off-ROW.	Agent contracted chief inspector to implement dust abatement program. Resolved.
J	5/30/2009		OH-MK-191.000	Dust & mud abatement complaint issues.	Agent compensated LO for damages. Resolved.
J	6/24/2009		OH-GN-116.001	Fence damaged.	Addressed issue with Chief Inspector at morning meeting. Chief Inspector to gravel road with 20' of gravel.
J	6/11/2009		Off-line	Citizen called hotline requesting information.	Fencing crew repaired fence. Resolved.
J	8/24/2009		OH-GN-012.000	Potential disturbed spring; no water.	ROW agent referred person to Rockies website and public relations for follow-up. Resolved.
J	6/24/2009		OH-GN-122.000	Fence damaged.	Resolved. Continuing to monitor well until it recovers.
J	8/11/2009		OH-GN-042.00	LO complaint of water well disruption after REX blasting.	Update 10/07/09: REX installed new well for LO. Resolved.
J	6/25/2009		OH-GN-104.000	No temporary fence gap or gate put in as required.	Fencing crew repaired fence. Resolved.
					El made area assessment. Well is located over 800 feet from blast location with wells closer not having been impacted. REX did not believe it contributed to disruption. Nothing could be done unless there was more direct proof. Landowner was appreciative for the area assessment and results. Resolved.
					All elements were installed. Resolved.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
J	5/30/2009		OH-MK-136.000	Driveway damaged.	Chief Inspector to have contractor take care of remediation to driveway.
J	6/21/2009		OH-MK-030.000	Phone line severed.	AT&T was contacted with a repair date of 07/06/09. Agent requested public relations intervene to help expedite. Pending. 07/15/09-Per ROW, phone service has been repaired.
J	5/15/2009	549.5	OH-PY-004.001	Temporary fence did not contain cows. Cows got into grain and broke grain barrels in the barn.	ROW contacted landowner to advise that the contractor had installed hot wire. Landowner satisfied. Resolved.
J	5/8/2009	565	OH-PY-080.007	LO complained that a "gas company" was driving all over his property.	When agent inquired, LO revealed it was a Columbia Gas vehicle. Resolved.
J	12/31/2008	566.3	OH-MK-003.00	LO complained that surveyors left property in an unacceptable condition.	Agent Norm Hart phoned Ms. Merritt and answered questions regarding tree removal, bat habitat, pipeline maintenance, insurance, liability, and blasting plan. Condition was corrected by contractor. Resolved.
J	3/5/2009	567		Certain trees removed on ROW without permission. Late-filed report.	Confusion between two fence lines lead to the cutting of trees. Agent met with LO and REX paid LO for tree damages. Resolved.
J	5/26/2009	573.5	OH-MK-132.000	Compliant from LO on loss of fawns due to relocation.	ROW agent documents that LO was compensated to relocate animals. Resolved.
J	6/17/2009	578.8	OH-MK-168.S01	Trucks turning around in driveway.	El posted No Access signs at drive. Resolved.
J	7/21/2009	579.3	OH-MK-178.S02	Complained that topsoil was not segregated in woodlands.	ROW agent furnished AIMA copy and informed LO that it is not required. Resolved.
J	6/11/2009	580.0	OH-MK-186.000	Driveway damaged.	Gravel was delivered and placed. Resolved.
J	7/27/2009	581.5	OH-MK-195.000	Home gas line damaged.	ROW contacted local gas company. They investigated and discovered it was their problem. Resolved.
J	7/12/2009	584.9	OH-MK-212.000	Gap in fence allowed livestock to get out.	ROW update reflects that additional fencing was installed on 07/13/09. Resolved.
J	7/28/2009	596.3	OH-GN-035.000	Water well flow disruption after blasting.	ROW to monitor to see if flow restores after backfill. Pending. 09/02/09: Meetings were held with LO. Determined there was no impact from REX operations. Resolved
J	6/8/2009	596.7	OH-GN-037.000	Fencing questions and issues.	Agent met with LO and walked ROW. Agreed to and had installed, fencing along south side of ditchline. Resolved.
J	7/7/2009	599.7	OH-GN-060.000	LO reported drain tiles were cut and that he was never notified as was supposed to happen.	Agent assured LO that AG inspectors are on the job and that tiles will be permanently repaired when pipeline is in the ground. Resolved.

REX-East Pipeline Project
Status as of October 29, 2009
LANDOWNER COMPLAINTS - East of Lebanon

Spread/Facility	Date	Mile Post	Tract Number	Description	Resolution
J	7/8/2009	602	OH-GN-078.000	LO complaint of excessive dust.	Per ROW update for week 56: Resolved same day when LEI coordinated the increased use of water truck for controlling dust. Resolved.
J	10/15/2009	603.7	OH-GN-092.000	Stumps, spring flow, and debris concerns and for when things will be done.	ROW agent explained an appropriate schedule, and advised LO items would be entered on punchlist for finishing with restoration. LO was satisfied with response. Resolved.
J	6/18/2009	605.5	OH-GN-105.000	Fencing issue.	Fence was repaired on 06/19/09. Resolved.
J	5/26/2009	609	OH-GN-124.000	LO complained that survey stakes had been changed. Bat clearing crew cleared trees off ROW and left others.	Field reviewed with EI the FERC Alignment and easement Exhibits no issues were discovered.
J	3/5/2009	offline		Questions about construction activity.	ROW agent called LO and explained complete construction activity process. Resolved.
K	5/4/2009	609	OH-GN-127.000	Complaint regarding the need for temporary fencing.	Agent met with LO and assured them that contractor would be installing temporary fencing as needed. Resolved.
K	6/6/2009	609.5	OH-GN-128.000	Access denied by electric fence.	LO worked with contractor to place an electric fence. FERC monitor was notified by the LO that he had no access. LEI and contractor opened fence and placed a portable connector for allowing access. An earthen berm ramp was also placed to assist access. Resolved.
K	5/13/2009	609.5	OH-GN-128.000	Spring Mitigation, Temporary fence, cross over plugs, construction debris issues all conveyed in letter.	REX submitted answer to LO letter to FERC and resolve issues. FERC Monitor met with landowner reviewed ROW for compliance.
K	6/17/2009	615.5	OH-NB-131-S02	Fencing damage issue.	Fence has been repaired. Resolved.
K	10/26/2009	620.5	OH-BL-015.001	Wants diversion ditches removed from his property.	Resolved. Agent met with LO and advised that erosion devices are mandatory per FERC.
K	7/21/2009	621	Offline near OH-BL-016.000	Loss of spring.	ROW compensated LO to repair a holding tank he had, and utilized temporary supply until spring recovers. Resolved but will continue to monitor.
K	5/16/2009	627	OH-BL-039.000	Complaint of damage to fence.	ROW has compensated LO for fence repair. Resolved.
K	6/11/2009	627.3	OH-BL-039.000	Damage to fence from falling of bat trees.	ROW agent compensated LO for fence and tree removal. Resolved.
K	5/11/2009	635.5	OH-ME-126.001	LO was day-sleeping when awakened by Rockies crews in her yard with stakes and signs.	Agent met with landowner and informed of survey crew and EI posting requirements.
K	6/2/2009	637.5	OH-ME-137.001	Off-ROW damage by surveyor driving into cornfield.	ROW made compensation to landowner.

ATTACHMENT C

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Activity	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
Non-Compliance Resolved						
H	497.7	10-May-09	H04-39943-1	Off ROW Travel	Clearing crew operator mowed hay off ROW in a 6' by 20' area.	Operator and foreman attended environmental retraining the next morning. ROW Agent has contacted LO, who dismissed the issue without compensation. No other disturbance occurred and there was no adjacent pipeline impacted or threatened. Contractor held a foreman meeting to reiterate that if questions arise, to stop activity until it is clear where to proceed. Rockies held a management conference call with staff and contractor for discussions on this. There was no impact to any adjacent pipeline as there are none in this area. Resolved.
H	499.64	16-May-09	H10-39949-2	Off ROW Other	Subcontractor laborer cut two small trees off the approved ROW, with boundaries clearly marked and directions having been given to stay on ROW.	Employee was terminated, ROW agent initiated contact with LO, who advised that they hoped it would not happen again but that no compensation was necessary. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Fa cility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	548.8	02-Jun-09	Dmiller-060209-1	Dewatering	A NCR was issued by compliance monitor Debby Miller at MP 548.8 east of US Highway 22 for pumping of heavily silt laden water and impeding down stream flow at minor water body WB-OH-548-8888. The monitor arrived on site to conduct a inspection of the road bore crew working at US Highway 22. The monitor observed that trenching dewatering of the bore pit was in progress on the east side of the road. The monitor went to the discharge location and observed that a filter bag was located within the stream channel of minor water body WB-OH-548-8888. The filter bag was expanded due to the water pumping and the flow was blocked within the stream by the expanded filter bag causing ponded water on the up stream side. The monitor observed laborers pushing and forcing muddy water and silt particles to emerge from the expanded filter bag not allowing the filter bag to function properly. The monitor observed the laborers along with the assistance of back hoe remove the filter bag from the water body. The monitor observed during the removal of the filter bag that a hole was present in the corner of the bag on the opposite end from the corner where the discharge hose had been installed. Muddy water and silt were running out the hole as the filter bag was removed from the water body down the water body bank and into the water body. The monitor remained at the site until the muddy water had cleared enough for the bottom of the stream bed to be visible. The monitor walked up stream and found no silt to be within the stream bed along with clear water being present. At the area where the discharge had taken place the monitor observed a silt layer on the bottom of the stream bed and stream banks ranging from a thin film to pockets of silt 1/4" to 1/2" deep. The minor water body consisted of a well vegetated stream bed and banks with flow present about 1 1/2 feet wide with perceptible flow present. The area in which the discharge occurred was located outside of the ROW limits along the north edge of the ROW (flow for the water body is from south to north). On a previous visit to this location on Saturday 5-30-2009 the monitor	Bag and site were cleaned up on the spot in the presence of the CM. LEI held environmental tailgate training with dewatering crew regarding placement of filter bags. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
					had observed a discharge hose and filter bag setup on the water body bank in which no discharge had occurred yet. The monitor contacted EI (Curt Landrum) to enquire if a trench discharge was going to occur at this location as the monitor was concerned about the proximity of the discharge to the water body. Curt stated that he had spoke with the crew and that discharge would be moved back into the well vegetated upland area. The monitor contacted the EI (Curt Landrum) following today's discharge into the water body in which he arrived on site to meet with the monitor. Curt arrived after removal of the filter bag and looked at the area where sediment deposition in the stream channel was present and he felt that the area was of minor concern with no adverse effect to the stream. The monitor then contacted LEI (Kevin Janik) that a NCR would be issued at the area for the above violations for WB-OH-548-BBBB. The monitor received a telephone call from LEI (Kevin Janik) later in the day stating that he concurred with EI (Curt Landrum) response to the NCR. Kevin stated that he would issue a problem area at this location and the monitor stated that this was a NCR and would be documented by the monitor as so. REX Procedures, V.B.11. Trench Dewatering Dewater the trench (either on or off the construction right-of-way) in a manner that does not cause erosion and does not result in heavily silt-laden water flowing into any waterbody.	
I	550.4	25-May-09	Dmiller-052509-5	Failure to Adhere to Project Permits / Plans	Trenching in progress through residential area near MP 550.4. Site specific mitigation plan drawing 1280-A-SS-OH-PY-007.002 for the residential area requires safety fence installed during the open trench phase and that a drag section would be made up out side of the residential site with trenching, lowering-in and backfilling to occur in the same day. The monitor observed that no safety fencing was installed and that no pipe for the drag section was present. Monitor notified Lead EI of noncompliance.	Work was immediately halted and the exclusion/safety fence was installed with a half hour. The fence had been onsite and had not been installed. LEI notified all involved regarding the Residential Mitigation Plans' requirements to prevent future occurrences. Resolved.
I	552.70	05-Aug-09	102-40030-2	Off ROW Travel	Dozer pushing saturated mud / muck attempting to dry out the ROW, pushed soil down a ravine, into dry WB, and it ultimately flowed off-ROW into flowing Somerset Creek. FERC CM notified by LEI. Update to last week's report. See next column.	UPDATED REPORT FOR RESOLUTION: Report # 102-40032-2 reflects that a vac-truck was brought in to clean up mud from the edge of the ROW to Somerset Creek, to resolve this NCR. Entire crew received remedial environmental training and the dozer operator was released from the project. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Fa clity	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	553.19	03-Aug-09	102-40028-2	Biological Resources / Plans / Restrictions	Spoil entered a waterbody and restricted flow on both sides of a bridge. Tie-in crew left the work area, leaving spoil in WB, assuming environmental crew would make clean up repairs, which failed to happen.	EI group had contractor remove spoil from waterbody and make necessary ECD repairs. Entire crew had re-training on 08/04/09 at yard office. Contractor's environmental foreman has been promoted to Coordinator so as to improve communication and response. Resolved.
I	556	02-Sep-09	Dmiller-090209-1	Cultural Resources / Plans / Restrictions	NCR recorded for premature removal of exclusion fence at Sensitive Resource.	Update from previous week: Work was completed by contractor and the area finished. Area delineated was actually off-ROW and no actual disturbance occurred. LEI met with crews regarding leaving SR fencing up until all work is completed as much as possible. Utility Inspector over the area was released from the project. Resolved.
I	556.8	06-Jun-09	DMILLER-060609-1	Topsolling	Topsolling of 35 foot topsoil storage-only workspace and subsoil was stored there. Alignment sheet workspace band did not show WS while the photo bar does. Field staff and contractor missed the omission.	An alignment sheet error exists in that the photo band shows a 35 WS section between WBs 556 BBBB & 556 CCCC. However, that WS is not included in the WS measurement band below the photo on the alignment sheet page. Tailgate training with crews occurred so all were on the same page looking for workspaces. LEI held a page-turn event with alignment sheets and found no more anomalies. Resolved.
I	557.8	28-Jul-09	Dmiller-072809-1	Off ROW Spoil/Soil	FERC CM NCR: Wet soils under a backhoe inadvertently pushed beyond ROW stakes on a two to three foot by fifteen foot segment. Operator attempted recovery and bucket teeth disturbed hay / grasses underneath, causing the slightest mixing of grass / topsoil with trench spoil.	Recovery of soils occurred by hoe and then separation of soils and sod clumps occurred by hand crews. LEI had repairs made the same day and ROW contacted the LO for discussions on the light disturbance. Crew tailgate retraining was held on prevention of such circumstances. REX-East Environmental Compliance Plan Section 7.1 relates as examples of Problem Areas: "An example would be a small amount of soil or slash off the right-of-way that has no effect on sensitive resources such as designated wildlife habitat, wetlands, or waterbodies." This is the case with this NCR's setting.
I	559.5	09-Jun-09	104-39973-2	Biological Resources / Plans / Restrictions	Clearing crew forwarder timber hauler created ruts in wetland.	Signs were in place and clearly visible and survey had staked the limits of wetland boundaries. FERC CM and LEI agreed that any attempts to fix the ruts could create more damage and they should be left alone. Entire clearing crew attended remedial ENV training on limits, staking, and signs. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	561.7	23-Jun-09	101-39987-2	Bridges	Contractor placed a flume in a minor waterbody for initial crossing, but used soil for the actual bridge over the culvert.	LEI had contractor replace soil bridge with a proper mat-bridge spanning the WB. LEI had crew attend environmental retraining on bridge construction requirements. Resolved.
I	563.4	28-Jun-09	Dmiller-062809-2	Failure to Adhere to Plan / Procedures	Failure to install ECD's after initial ground disturbance.	Situation was an issued problem area by FERC CIM the day before, LEI had issued contractor foreman a punchlist to address items and had discussed in morning meeting. Crew never installed ECD's/slope breakers on slopes immediately above waterbody after grading. Spread Chief advised during teleconference call that the foreman of this crew was dismissed and removed from the project. LEI held tailgate with operator's onsite. Breakers/waterbars were installed by days-end, 06/28/09. Resolved.
I	564.36	03-Aug-09	104-40028-2	Biological Resources / Plans / Restrictions	Failure to maintain ECD's after rain event caused sediment to enter saturated wetland.	Report 104-40029-2 reflects that corrective actions taken included: Mats placed in wetland were cleaned, staked straw bales were placed at North and South borders of wetland to prevent sediment from entering wetland, silt fence was repaired at Northeast and Southeast corners of wetland mats, waterbars were placed at east and west sides of matting, and sediment logs were placed in the travel lane. Contractor's environmental foreman has been promoted to Coordinator so as to improve communication and response. Resolved.
I	567.2	28-Jun-09	Dmiller-062809-1	Failure to Adhere to Plan / Procedures	SPCC plan was violated when contractor left equipment parked overnight within 100 feet of a waterbody.	No spills or leaks to any resources are noted. LEI had contractor remove equipment to beyond 100 foot mark. Spread Chief advises during teleconference call that the crew foreman was dismissed and removed from this project. Crew was given tailgate on parking restrictions by the LEI. Resolved.
I	568.7	10-Sep-09	Dmiller-091009-1	Failure to Adhere to Plan / Procedures	Spoil was placed in a waterbody over a flume, and was under an adjacent equipment bridge during crossing.	Spoil was immediately removed by crew and cleaned up. Stream channel was restored to allow flow. Resolved.
I	569.52	11-Sep-09	102-40057-2	Spill	Spill of mud and water from an off-road haul truck occurred. After the spill, light showers contributed to flow down a dry waterbody some 500 feet off-ROW.	Once identified, crews completed hand work and used a Vac truck to clean up all spilled material. Response to an emergency with a tipped-over piece of equipment delayed reporting and clean up of this spill. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	570.4	03-Sep-09	Dmiller-090309-1	Off ROW Travel	FERC CM recorded noncompliance for contractor crews parking personal vehicles off-ROW near MP 570.4 and MP 574.3.	LEI had all vehicles appropriately parked. Another environmental tailgate meeting was held regarding ROW limits. No damage to any property or resources occurred. Resolved.
I	575.0	17-Feb-09	Mcompton-021709_1	Erosion Control	Failure to maintain erosion controls at Chandlersville Compressor station. UPDATED REPORT. SEE NOTES IN CORRECTIVE ACTION SECTION.	Contractor immediately began repairs. 02/25/09 UPDATE: Complete repairs have been hampered due to weather conditions; however, many ECD's have been repaired and newly installed. Time extensions for repairs had to be issued. Closure report will be forthcoming when totally complete. FERC CM is working with staff towards completion. 03/11/09: This NCR has been completely resolved onsite with the repairs to ECDs and newly installed ECD's. LEI staff advise FERC CM inspected without any further issues. Resolved.
I	575.8	30-Sep-09	Dmiller-093009-	Use of Unapproved Areas	Equipment was found parked by CM within 100 feet of a waterbody. (Recorded on 093009 but reported in following week which began 10/01/09.)	Signs were up and posted and LEI had reminded foreman the day before about parking restrictions. Tie-in crews completed work, parked equipment, and left the project assignment after lay-off. EI measured 82 feet from equipment to water's edge. No damage or disturbance, no leaks, spills, or drips noted. LEI tailgated remaining staff on parking restrictions. Crews immediately moved equipment upon notification of the NCR. Resolved.
I	576.2	29-Sep-09	Gmiller-092909-	Failure to Adhere to Plan / Procedures	FERC CM-issued NCR for placing subsoil in the 35 foot topsoil-only storage EWS.	LEI coordinated with contractor to have all spoil removed; and notes that no-access signs had been in place for this area just several days earlier. When the usage occurred, the signs were missing. LEI had EI conduct environmental re-training onsite with the tie-in crew. No damage to underlying topsoil was observed after removal of the subsoil. Resolved.
J	577.5	18-Jul-09	J01-40012-1	Other	LEI-issued NCR for blasting at four saturated wetlands without filing plans to the FERC for approval.	(Milepost reference is only a spread reference.) Site-specific plans had been filed with the LEI and the FERC CM had been properly notified of the blasting to occur. Plans for all other wetlands to be blasted is being processed by Rockies and filed with the FERC, anticipated for 07/22/09. Admin NCR is filed and resolved by these actions.

Status as of October 29, 2009
REX-EAST Pipeline Project - East of Lebanon
RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
J	583.53	20-Oct-08	J-ENV-39741-1	Failure to Adhere to Plan / Procedures	Hand-cutting only of tall corn crop occurred 10/09/08 off-ROW in an area that advanced archaeological survey work and data recovery is to occur. Employees continued straight at a P.I., cutting off-ROW. Consultant Coordinator Steve Marquadt initiated and resolved this NCR.	No other resources were damaged; ROW agent made contact with landowner for compensation for crops. Subcontractor was informed that all survey/ROW stakes in tall corn will be located prior to any crop removal. Resolved.
J	590.89	08-Jun-09	J02-39972-1	Off ROW Other	Contractor at Tennessee Gas Meter Station began using workspace asked for in a variance that has not been approved yet; contractor graded off-ROW for custom landscaping for landowner.	LEI stopped use of area requested in variance. Chief inspector related that ROW made agreement for contractor to perform custom landscaping around a barn. Re-training of 18 personnel at the station occurred by Rockies trainer. LEI counseled station management regarding FERC conditions, plan and procedures limiting activities to the approved ROW. Resolved.
J	592.8	27-Aug-09	J02-40051-2	Failure to Adhere to Plan / Procedures	Survey ROW stakes knocked down resulted in an 8 foot by 150 foot area of disturbance off edge of ROW by grading crews.	The area was cleaned up and staked off. Contractor also had crews place exclusion fencing to keep crews on the ROW. Contractor held his own tailgate meetings with crews addressing the need to watch staking and have them replaced if inadvertently knocked down. Resolved.
J	600.1	04-Aug-09	Gmiller-080409-1	Off ROW Travel	Equipment graded off-ROW at neckdown. Minor disturbance in weed / pasture patch; less than 50 feet by 50 feet.	Operator was released from the project. ENV crews responded and re-seeded the area and used orange safety fence to lock the area out so no other crews follow the same path off-ROW. Resolved.
K	608.9	04-Jun-09	K01-39968-1	Off ROW Other	(MP reference is a spread reference only. Yard was off-line and off-ROW.) Mainline contractor began usage of the Philips Road, Ohio contractor yard prior to FERC approval.	Approval through the variance process is to be sought for use of this yard. Updated report: FERC authorization letter for use of the Philips Contractor yard was received 06/17/09.
K	609.4	08-Jul-09	Gmiller-070809-1	Failure to Adhere to Plan / Procedures	Backfilling of the wetland was being conducted on 7/6/09 during an inspection by the Monitor. The Monitor observed on 07/08/09 that no wetland signage or erosion controls had been re-installed following backfill. REX Procedures V1.B.3. states sediment barriers must be installed following initial disturbance of the wetland and must be properly maintained and reinstalled as necessary (such as after backfilling of the trench).	LEI had the contractor re-install ECD's and signs. Resolved.
K	609	06-Jun-09	K01-39970-1	Failure to Adhere to Plan / Procedures	Electric fence was installed per landowner across and access drive. Then, Landowner complained to FERC CM that his access was blocked. Violation of discreet Residential Mitigation Plan: Allow access to property.	LEI worked with contractor to make a split connector in the fence for access. An additional earthen pad was placed to improve access as well. Resolved with these actions.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
K	609.95	08-May-09	Gmiller-050809-1	Topsoiling	Rutting occurred in wet ground via tracked equipment by clearing crew, in area that had not been topsoiled.	LEI is having staff place signs where Key Ag has not yet marked topsoil depth. Contractor responded the same day by placing mats to recover what topsoil they could. Mats will be used in future wet areas to prevent rutting by clearing crews. The entire clearing crew has gone through an environmental tailgate on rutting. There was no threat to adjacent pipeline. Resolution report # K01-39945-1. Resolved same day.
K	614.71	21-Jul-09	K02-40015-2	Failure to Adhere to Plan / Procedures	Rex-written NCR. Spoil pile placed within 10 feet of waterbody and lack of erosion controls.	LEI follow-up report reflects that all ECDs were placed and soil was removed as appropriate. Resolved by COB 07/22/09.
K	622.4	12-Aug-09	K04-40037-2	Failure to Adhere to Plan / Procedures	Contractor failed to place ECD's after waterbody crossing was completed within 24 hours.	LEI issued notice of noncompliance and had ENV crew respond within an hour, once notified, to install the lacking ECD's. Tailgate training on timing for completion of waterbodies was held. No harm was done to WB. Extenuating circumstances regarding the ENV crew being pulled away to a truck accident and fire contributed to this unintended delay of completing restoration. Resolved.
K	623.16	12-Jul-09	K04-40006-2	Failure to Adhere to Plan / Procedures	After blasting, materials blocked a minor stream and were not cleaned out as appropriate, restricting flow for 2 hours, 15 minutes.	LEI notified contractor, who sent a hoe back to make repairs. Completed by 1315 hours the same day. Resolved.
K	623.75	18-Jul-09	Gmiller-071809-5	Failure to Adhere to Plan / Procedures	FERC-issued NCR. Topsoil and subsoil was not properly segregated at a foreign line crossing wherein subsoils were excavated on a side hill and placed directly on topsoil with no separator barrier in place.	Area of soil pile is 75 feet long by 10 feet wide. FERC CM was involved in discussions on this and all agreed that soil can now stay in place until restoration; however, a drafted variance will be rejected by the LEI now due to the NCR in this location. Field tailgate training occurred on this issue to prevent future occurrences. Resolved.
K	626.10	20-Jul-09	K01-40014-1	Failure to Adhere to Plan / Procedures	Rockies waterbody procedures not followed and allowed soil from grading at waterbody to enter waterbody. (Not kept 10 feet from waterbody.) LEI wrote this NCR.	Upon discovery of the NCR, LEI met with contractor. Crew received ENV remedial training. One operator was terminated from the project. Streambank restoration and ECD's were implemented to resolve this onsite. FERC CM was notified by LEI. Resolved onsite.
K	629.37	12-Jul-09	K03-40007-1	Failure to Adhere to Plan / Procedures	Off-ROW disturbance occurred while pushing materials off-ROW for the landowner, instead of setting materials off-ROW. (Equipment off-ROW). Landowner had requested timber be set off-ROW adjacent to boundary; but not to have it pushed there, disturbing ground. No impact to adjacent pipeline.	ROW clearing crew received ENV tailgate on setting materials off ROW and that equipment may not leave the ROW to do so. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Fa cility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
K	631.3	25-Jul-09	Gmiller-072509-6	Other	Violation of restricted-use terms of an access road variance. (Like use.)	A level two variance will be submitted to authorize additional use of the access road in question. LEI tailgated with crews on clear communication of what is, and is not, allowed for use. Resolved.
K	631.4	25-Jul-09	Gmiller-0725-09-7	Use of Unapproved Areas	NCR issued for use of area prior to approval in variance process.	LEI had tailgate environmental retraining of crews in the area in question; regarding waiting until variance is approved. The variance was being submitted. Resolved.
K	634.5	23-Aug-09	Gmiller-082309-1	Off ROW Travel	Crew bus parked off the side of an approved access road in a private driveway, with written permission from landowner.	Level one variance was in-process but contractor used parking area prior to variance. Bus was moved when notifications for an NCR occurred. Resolved.
K	634.5	11-Aug-09	K03-40036-1	Off ROW Improper Staking	Off-ROW disturbance NCR recorded by LEI; caused by survey stake being knocked down by clearing crew and then grading crew missed the ROW and disturbed soils off-ROW.	LEI had survey crew reset staking in the area. Crew attended tailgate training on ensuring limits are known. The 40 X 40 area disturbed has been mulched and the landowner had no concerns regarding this mistake. Resolved.
Resolved - Protest						
						LEI held tailgate training with contractor foremen, environmental coordinator, and tie-in crew regarding original contour replacement. Report # G01-40026-2 relates that final stream contours will be replaced by final restoration crews. A final resolution report will be filed then.
G	454.10	31-Jul-09	Mpelfrey-073109-1	Failure to Adhere to Plan / Procedures	Rockies wetland and waterbody crossing procedures was not followed when contractor failed to restore meandering channels in waterbody during restoration. See UPDATE in next column.	LEI wishes to file this under protest in that there is no time requirement to restore stream contours stated in the procedures. Section V.C.3, as cited for the noncompliance, reflects: "Return all waterbody banks to preconstruction contours or to a stable angle of repose as approved by the Environmental Inspector." Restoration crews will complete these measures. Pending final restoration, but resolved for immediate issues. 08/22/09 UPDATE: ROW restoration crew restored contours. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Activity	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
G	490.10	07-Jul-09	Mpfrey-070709-1	Off ROW Spoil / Soil	This was initially issued as a resolved Problem Area by the LEI. However, FERC CM has been directed to write this as an NCR: (FERC CM report has not been received as of report-filing deadline.) LEI PA report 070309: Clearing crew mowed a small strip outside of the row boundaries, 93 wide long by 5 - 30 ft wide (triangular shape). When the clearing crew came through they cleared along a straight line from one row boundary stake to the next. After the area was cleared, survey came through and refreshed the stakes. The cattle had torn them down, and clearing crew was not aware that some of the stakes were missing when they cleared the area. After the stakes were refreshed, it was evident that a section had been mowed outside of the row. LEI informed FERC monitor of the problem area and the monitor agreed with that assessment.	LEI PA Report 070309: No resources were impacted as this is just a grassy area and no crops and no trees were disturbed. No ground disturbance occurred. The area mowed was within the area purchased from the landowner and would have fallen within the 35' topsoil storage area had it been marked on the alignment sheets LEI marked the area with NO ACCESS signs to make the next crews through the area aware of the situation. Resolved; however, LEI wishes to file a protest to the issuance of an NCR. It had already been deemed a Problem Area as agreed to by the FERC CM.
H	536.0	22-Jun-09	Sumpter-062209-3	Rutting	CM filed NCR for rutting, causing mixing of soils in ag land where topsoil depth stake referred to 2 inches of topsoil.	FERC CM witnessed equipment smooth out ruts and soils prior to arrival of the LEI, and photographed after rough-in of soils. LEI had dozer make cut to determine topsoil depth and found 36 inches of topsoil until soil color change was observed. Ohio AIMA topsoil depth stakes are reference only and the Ohio DNR, SWCD and REX have agreed to allow the AG EI and or the landowner to make the determination as to the depth of topsoil. The AG EI agrees to the actual depth as determined by the custom dozer-cut, as a more precise method, as opposed to the rutting observed by the CM. LEI wishes to file this as a protested NCR. Pending.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	553.8	30-May-09	Dmiller-053009-1	Topsoiling	A NCR was issued at MP 553.8 (ST#29197+00) for failure to segregate agricultural topsoil. The land use in this area is pasture land. Topsoil segregation had previously occurred on the travel lane area and a small portion of the agricultural field. Subsoil from a side hill cut was bladed / pushed down the slope onto the agricultural field where topsoil segregation had not occurred. Vegetation was still present in the area where subsoil was placed. Key-Ag topsoil depth staking was present. The area where the subsoil was placed on the un-segregated topsoil consisted of about 100' long by 40' wide in a triangle shape. A foreign\ line crossing was also present in this area in which a variance had been approved to place a thick straw barrier where topsoil could not be segregated for placement of subsoil. The monitor observed that no straw mulch was present in this area during placement of subsoil across the foreign line crossing. The monitor met with Al/EI Dave Hammons, who believed the area in question had been forested. Monitor reviewed pre-construction photos, which indicated the entire ROW width was agricultural pasture land. Lead EI was notified.	LEI and staff investigated and determined that the area in question was forested and not agricultural. Rockies protests the issuance of an NCR for this location. No site issues exist. Report is pending withdrawal/cancellation.
I	556.4	21-Jun-09	Dmiller-062109-1	Erosion Control	CM recorded an NCR for erosion and sediment deposit off-ROW, onto a private drive and flowing downward around a barn.	LEI reports an overly-exceeding-normal rain event occurred depositing 2.5 inches of rain in 1.5 hours in the area of the NCR. ECD's that were in place were overwhelmed/blown-out. LEI ensured crews performed hand-clean up of sediment off-ROW to the satisfaction of the CM and landowner. Additional ECD's were placed where blown out. LEI and management file protest to this NCR in that the ECD's in place were overwhelmed from that level of storm event and could not have been anticipated. This should have been initiated as a problem area report in that it is unintentional, unanticipated, and involved no negligence or lack of maintenance of ECD's, and the contractor's immediate response for clean-up with the CM's knowledge is noted. Additionally, no sensitive resources were impacted. Site issues resolved; admin pending protest resolution.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	560.7	21-Jun-09	Driller-062109-2	Erosion Control	FERC CM cited an NCR for ECDs that were not adequate to prevent heavily silt-laden water from entering a waterbody. Monitor reports that some ECD's were in place in the area.	LEI and management wish to protest this NCR in that: the CM's report and photos do not cite any lacking areas of ECD's related to this reported discharge; that there are no photos of heavily silt laden water entering the waterbody but, instead, there is a photo of only cloudy water; that there are no photos of any plume or build-up of silt/sediment within the waterbody after the cloudy water cleared. CM's photo 60 is tagged as depicting where silt fence was removed along bridge (for re-setting/adjustment of bridge); however, the water and mud depicted in the photo is not and had not flowed over the down-gradient grasses in that same photo, as would be the case had a discharge occurred at that point. There was no discharge at that point. ECD's in the area were not overwhelmed and functioned properly. Pending admin protest. Site has been cleaned up and bridge re-set as planned.
J	581.3	26-Jul-09	Gmiller-072609-3	Failure to Adhere to Plan / Procedures	Procedure V.C.2 was violated when flow would have been allowed to return to waterbody prior to banks being restored. (Dry waterbody with no damage to any resources.)	Crews responded and placed ECD's on banks. Crew counseled on timing for restoration. Site resolved. LEI wishes to protest the arbitrary nature of this NCR and notes that no damages or immediate threat to the waterbody existed, as there was no flow occurring. This should have been a problem area. Protested.
J	582.5	16-Jun-09	Gmiller-061609-1	Failure to Adhere to Plan / Procedures	FERC CM recorded an NCR for "spoil from the trench that had not been placed 10 feet back from the top of banks." at six waterbodies. Also cited was lack of sediment barriers around spoil piles.	LEI notified contractor and they sent a long-neck hoe to the area to reach what soils could be pulled back. Sediment barriers were then installed where appropriate. Not all spoil could be reached due to the side cut configuration but was secured with sediment barriers. Tailgate Training of all crews involved and utility inspectors was held 06/18/09 on soil storage requirements. Resolved. Note, for protest however: Procedures Section V.B.4 cited for this violation refers to soil placement 10 feet from water's edge, not top of banks, as cited in this NCR. The waterbodies were all dry and the monitor confirms no flow present. There was no water's edge to judge this an NCR and there was no noted indication that any spoil entered any waterbodies. Resolved under protest. Problem Area category is more applicable.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Fa cility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
J	603.8	14-Sep-09	Blackwell-091409-1	Failure to Adhere to Plan / Procedures	FERC CM recorded an NCR violating the SPCC Plan for inadequate secondary containment on a pump.	Rockies protests the filing of this NCR and a temporary flexible containment unit was used for a six inch pump. One section (2-3 foot long) was folded over and was not upright at time of inspection. No leaks or spills are noted or observed in the monitor's photographs. The pump and containment was on top of a small berm adjacent the ditch. The berm itself provided protection of the groundwater and stormwater accumulated in the trench. The folded-over section of containment wall was away from the ditch and on the outside of the berm. Had a spill occurred, the berm itself would have prevented any material reaching the ditch water. CM report also relates the pump within 10 feet of waterbody. That is inaccurate, as the trench with water is not an waterbody. The LEI noted the WB within 100 feet, but much farther away than 10 feet. Had a spill of fuel, anti-freeze, or motor oil occurred, little chance existed of it reaching the WB. Also, the REX compliance plan relates that a problem area example is: "An example would be a fuel leak where project personnel respond properly by stopping, containing, and cleaning up the spill in accordance with the project specifications." Not even a spill had occurred, hence, no resources were threatened. It is also noted that the folded side was repaired within 10 minutes of notification and should have been a problem area. Site resolved, but NCR is protested.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spradd/Fa cility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
K	612.8	25-May-09	Gmiller-052509-3	Other	(Line, Title, and verse of stipulation that was violated was not cited in this NCR.) GMiller-052509_3 612.8 OH-NB-117.NO3 The Monitor inspected grading activities between MP-612.8 and MP-613.0. Land use for this area consisted of agricultural use of pasture and / or hay fields. Full right-of-way topsoiling was in progress. A 1,100' x 35' ATWS for topsoil storage was present along the north edge (spoil side) of the right-of-way. The Grade Crew had measured out the 35' ATWS and placed orange staking along the topsoil storage 35' ATWS area. The 35' ATWS along the western end was undisturbed with only topsoil being placed in the ATWS. The Monitor observed on the eastern end of the 35' ATWS that several passes of equipment had passed through the 35' topsoil storage area and that approximately 250' of the 35' ATWS for topsoil storage had been topsoiled and graded. Monitor notified Lead EI of NCR. FEIS pg 2-6, "Rockies Express has requested 35-foot-wide temporary workspaces in areas where topsoil would be segregated. Rockies Express has stated that the additional 35 feet is necessary to allow for full right-of-way topsoil stripping." Clarification memo issued by REX PM Crystal Heter, 7.29.08, "The additional 35' of work space in agricultural areas should be used only for topsoil storage. Additionally, these areas should not be graded or topsoiled." (Footnotes above added to report.)	This issue is pending management and REX working out details on the 35 foot topsoil storage areas. Situation is currently resolved in the field, per LEI, but Rockies is protesting this NCR due to discrepancies in interpretations and that there is no cited section, title, or verse denoting what the violation is based on. Pending.
K	635.5	19-Aug-09	Gmiller-081909-1	Off ROW Travel	FERC CM issued NCR for Off-ROW vehicle parking off of an access road.	All involved removed their vehicles from the area and attended environmental railgate training held by the EI staff. No damage to any resources occurred. Resolved.
Problem Areas						
G	448.50	14-Jul-09	G01-40008-2	Spill	Minor drips of about one quart of diesel fuel in an upland area.	Contaminated soil cleaned up and disposed of at yard waste containment. Resolved.
G	450.80	14-Jul-09	G01-40008-1	Spill	About a cup of diesel soaked into soil from an over-filled pump.	Spill cleaned up and materials disposed of in yard containment. Resolved.
G	458.50	26-Feb-09	G01-39870-2	Erosion Control	Five gallons or less of drilling mud was creeping outside of containment area.	Environmental crew immediately responded and cleaned up mud, placed silt fence and straw bales. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
G	479.56	06-Jul-09	G01-40000-2	Spill	Fuel expanded in a filled pump tank and seeped out of the vent in the lid after heat expansion.	About a cup of diesel fuel was spilled to the ground and cleaned up by crews. Materials were removed from the ROW to the yard for disposal. Resolved.
H	496.9	17-Aug-09	H04-40042-2	Spill	Radiator fan blade came off and went through a vac-truck radiator causing a spill to the ground at mud disposal site at coming-in side of McCafferty Road.	The truck crew employed their spill kit and placed diapers on the anti-freeze-coolant to keep from soaking into the ground. Truck was repaired and spill and materials cleaned up and removed. Resolved.
H	497	12-May-09	H10-30045-2	Spill	Hydraulic hose erupted on a trailer unit.	Crews had hose replaced, collected sprayed oil with absorbent pads (diapers) and placed collected soils into bags for containment at yard containment. Resolved.
H	497	13-May-09	H01-30046-2	Spill	Contractor yard at S. Bloomfield; mechanic discovered leaking filter.	ENV crew used diapers to soak up spilled fuel, about two gallons, recovered stained soil and removed to containment. Mechanic repaired leak. Resolved.
H	497	05-May-09	H04-39938-1	Spill	Minor spill occurred in South Bloomfield contractor yard as observed by EI inspecting yard.	Environmental crew was called to yard and made proper clean up. Resolved.
H	497.05	17-Jun-09	H04-39981-1	Spill	Frac-out of drilling fluid occurred at Deer Creek HDD. The spill was immediately contained by crews implementing the Rockies HDD Frac-out contingency plan. The spill was upland of the creek and there were no discharges into the creek. Work was allowed to resume until another frac-out occurred and a cease work notice was filed by COE. Update: See next column entry.	Resolution is currently pending management review. Update: Approximately 1330 hours, 070709, LEI Schwarz received phone call from COE authorizing continuation of work on the drill from the other side; to be followed by an email message/notice. Resolved.
H	498.46	15-Sep-09	H10-40017-2	Spill	Three gallons of hydraulic oil spilled onto sheet piling with only minimal spray reaching the ground.	Spill was cleaned up, machine repaired, and material placed into containment barrels for removal to contractor yard. Resolved.
H	498.51	22-Jun-09	H04-39986-2	Spill	Spill of Frac-out mud occurred in a wetland being drilled under.	Crews contained the frac with silt fence and crew brought in vac-truck hoses to clean up the mud. Resolved.
H	498.51	09-Jul-09	H04-40003-2	Spill	Frac-out occurred 10 feet inside wetland OH-497-AAA.	ENV crews placed full-size sheets of plywood around the area, backed up with straw bales and two rows of silt fence beyond that. A pump is used for pulling mud back to the drill rig to keep from spreading, with a monitor in place at all times; all per the ODNr and ACOE requirements. Resolved.
H	498.51	24-Aug-09	H04-40049-2	Spill	Frac out occurred spilling drilling mud inside a wetland.	Crew placed silt fence around the frac-out for containment. A Vac-truck unit was used to vacuum the drilling mud up from the wetland. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
H	499.98	18-Jun-09	H04-39982-2	Dewatering	A dewatering filter unit used with a dam and pump required maintenance to prevent silt-laden water from entering a WB.	Crews shut down all pumps and placed additional ECD's to further slow flows for settle time. A new filter bag was also installed. Repairs completed immediately upon discovery. Resolved.
H	508.0	03-Feb-09	H10-39847-1	Spill	Mat poked pin hole in semi truck fuel tank. Less than one quart diesel fuel spill to mats.	Spill was plugged, fuel pumped out of tank, diapers placed to wipe up spill and drips, and were placed in spill kit containers for disposal. No fuel spilled onto any ground. Contractor issued spill report and filed it. Resolved.
H	514.14	20-Jun-09	H10-39984-2	Spill	Spill of Frac-out mud occurred 20 feet west of exit pad for the Scioto River.	Crews immediately responded and placed silt fence to contain the frac and then brought in a Vac-truck to implement clean up. Drilling resumed after clean up and no further spillage occurred. Resolved.
H	514.38	08-Sep-09	H04-40064-2	Spill	Hydraulic hose burst on equipment, spraying onto mostly sheet pile with minor spray to the ground.	A gallon of oil total was cleaned up by the environmental crew and disposed of. Resolved.
H	515	10-Jun-09	H01-39974-1	Spill	Frac-out of drilling mud occurred at Walnut Creek. See update in next column.	FERC and Ohio EPA were notified and responded. Mud spilled and flowed into the stream, was contained by crews as much as possible. Drilling rig was shut down on phone orders from Tom Harcarik, Ohio EPA, until their site assessment is completed. 07/08/09 update: Release to resume work was received from the Army COE on 07/07/09. Resolved.
H	515.10	15-Jun-09	H10-39979-2	Spill	Frac-out occurred at Little Walnut Creek and the Rockies Frac-out contingency plan was implemented. Work has been halted until management plans for recovering the mud and regaining circulation are in place. All drilling fluids spilled were contained. Work has been halted. 07/08/09 update; see next column.	Pending complete resolution plan by management. Work is on hold. 07/08/09 update: All work has been allowed to continue by the Army COE release. Resolved.
H	515.13	15-Jun-09	H10-39979-2	Spill	Frac out occurred at Little Walnut Creek HDD.	Spill of fluid was contained as much as practical and drilling stopped until further notice. Pending.
H	526.78	06-Jul-09	H03-40000-2	Spill	Less than two gallons of oil spilled from a mazooka unit onto the ground.	Unit was removed and contaminated soils were dug up, bagged, and removed from the ROW for disposal. Resolved.
H	534.27	20-Aug-09	H05-40045-1	Spill	Fitting on a hoe broke and dripped oil into dry waterbody.	Line was repaired and crews dug up and disposed on contaminated soil. Resolved.
H	542.80	10-Aug-09	H05-40035-2	Spill	One point five gallons of hydraulic oil leaked onto ground.	Oil was contained, repairs made, and dug up material was removed from the ROW. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Fa cility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
H	544.24	01-Jul-09	H03-39995-2	Spill	Less than two gallons of diesel fuel spilled to the ground in non-sensitive area.	Crews cleaned up spill and removed material from ROW. No follow-up required. Resolved.
I	547.9	10-Jun-09	I02-39974-2	Spill	Hoe hose burst open and created a spill to soils.	Crews stopped the leak, repaired the hose, and cleaned up approximately 4 gallons of hydraulic oil that spilled to the ground. Diapers and shovels were used to clean up. Resolved.
I	547.9	23-Jun-09	I02-39987-2	Spill	Contractor truck accident occurred off-ROW and spilled 1 gallon of oil in the overturn.	Crews had to wait for the truck to be righted and then performed clean up and removal of the approximate gallon of motor oil spill. Oil dry and swab booms and shovels are used for the clean up. Also cleaned up was some mulch the contractor was hauling. Resolved.
I	548	05-Jun-09	I02-39969-2	Spill	(MP is a spread reference only. Accident occurred off-line and off-ROW.) Stringing truck overturned off of mainline ROW. Tow to three gallons of motor oil spilled and seeped onto soils.	Stringing crews/hands responded and used diapers and containment bags to contain spill from spreading until truck was up righted. A 2 foot by 3 foot area of 2 inch deep soils was collected for disposal at yard containment. Contractor spill coordinator was present to document clean up for the contractor. Resolved.
I	550.43	04-Jun-09	I02-39968-2	Spill	Stringing truck radiator punctured by ROW mat, spilling minor amount of antifreeze on ground. Location was near a dry waterbody and no spillage reached the WB.	ENV crew utilized diapers and bags to clean up the spill on the soils. Estimated at two to three gallons. Resolved.
I	550.81	26-Jun-09	I02-39990-2	Spill	Sideboom sprung a hydraulic leak after start-up while parked some 300 feet from any resources. Spill was to the ground in a 3 foot by 3 foot area.	Crew used diapers and fluid containment bags to contain leak. Debris was cleaned up and placed in a bag for removal; hose was replaced, and equipment put back into service. Resolved.
I	553.74	25-Aug-09	I03-40050-2	Spill	Farm tractor used in ripping soil developed a hydraulic leak.	The operator stopped the machine and cleaned up leaked oil, on an area 3 feet by 3 feet. Tractor was repaired onsite. Four plastic bags of soil and diapers were removed from the ROW. Resolved.
I	555.09	26-Jul-09	I03-40020-2	Erosion Control	Travel lane ECD's were not properly installed and water bars were not properly maintained.	Report I-03-40021-2 reflects all repairs were made. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCES AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	555.37	31-Aug-09	103-40056-2	Cultural Resources / Plans / Restrictions	After removing most of the stored topsoil from the approved Topsoil Storage and Travel Lane Area with an excavator working from the ROW, the contractor seeded an area approximately 200' by 25' of the Topsoil Storage area with a tractor and seed drill, operating equipment inside the storage area. The thick straw mulch layer used to separate the stored topsoil from the topsoil in the storage area was left along with a minor amount of stored topsoil so as not to disturb the storage area. The seeder only penetrates the ground for about an inch and any tire tracks were very minimal. No ground disturbance or excavations occurred. No resources were affected.	El met with Travis Rawls (Frmn for Blackwell), all of the operators from Blackwell, and Dawayne Garrett (Clean Up Frmn) and reviewed Topsoil Storage Areas with them and procedures so that equipment is operated only within the approved ROW. No further action is required; this problem area is resolved.
I	557.34	13-Aug-09	102-40038-2	Off ROW Spoil / Soil	While excavating wet sludge-type material, some material slid off the edge of the ROW unintentionally.	FERC CM agreed no resources were impacted and allowed clean up to continue. Report # 102-40039-2 reflects that tie-in crew cleaned up all off-ROW wet material and installed ECD's to the affected area. Resolved.
I	558.07	13-Jun-09	103-39977-2	Spill	One half gallon of hydraulic oil spilled while a dozer blade was being unloaded, and ripped a line.	Contractor immediately stopped the leak, contained and cleaned up the soils. Soils were placed in plastic bags and removed from the ROW. Resolved.
I	558.21	09-Jun-09	101-39973-2	Failure to Adhere to Plan / Procedures	Mulching with wood chips spread on the ROW has over-exceeded one-ton per acre limits.	LEI met with contractor and advised of problem. Contractor agreed to remove and dispose of the chips. Pending action. A closure report will be filed when complete. Update: Report 101-39976-2 reflects all excess wood chips have been removed from the ROW. Resolved.
I	561.93	29-Aug-09	102-40052-2	Spill	Personal vehicle on the ROW caught fire and was totally destroyed. Fire department responded and put fire out.	ENV crews used diapers and shovels to clean up the area once vehicle was removed. Debris removed from ROW. Resolved.
I	562.50	14-Jul-09	103-40008-2	Spill	Hydraulic line broke on blasting drill rig and spilled less than a gallon of oil to the ground.	Crew immediately shut down machine, contained the spill, repaired line, placed contaminated soil and diapers in plastic bags for disposal. Resolved.
I	567.98	28-Jul-09	103-40022-2	Spill	Hydraulic hose broke on hoe after getting stuck.	Operator shut machine down and began containing fluid. Mechanics were called to initiate repair. About 12 gallons had leaked out to soils prior to repair. All contaminated soil was removed from the ROW in a container for yard disposal. Trenching and ENV crew made the clean up. Resolved.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Facility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
I	569.36	11-Sep-09	I01-40057-2	Spill	Hydraulic leak of 2.5 gallons spilled from a side-boom.	Crews immediately responded and cleaned up spill and removed contaminated soil from site. Machine was repaired onsite. Resolved.
I	571.10	20-Aug-09	I04-40045-2	Spill	Half-inch hydraulic hose burst on an excavator. Less than 1/2 gallon of oil spilled to soils.	Crew used diapers from on-board spill kit and cleaned up drips. Contaminated soil was disposed of properly. Excavator repaired onsite. Resolved.
I	576.38	25-Jul-09	I01-40019-2	Spill	A drilling mud tanker truck rolled over on the ROW, spilling a minor amount of diesel fuel from dripping onto soils. No wetlands or waterbodies were threatened.	A two-foot area of soil was cleaned up and removed from the ROW. Drilling mud had to be allowed to flow and collect on the ROW and then be pumped back to the drill exit pit. FERC CM was onsite and there were no concerns. Resolved.
J	579.55	30-May-09	I02-39963-1	Spill	One gallon of hydraulic oil spilled to ROW soils when line blew on track hoe.	EI arrived and observed ENV crew cleaning up spill. Line was repaired and material was contained, absorbed into diapers, and contaminated soil was dug up, containerized and removed from the ROW for proper disposal. Resolved.
J	584.60	08-Aug-09	I04-40033-2	Biological Resources / Plans / Restrictions	Refresher training was given to a tie-in foreman for dry ditch-crossing methods. EI wanted to document this.	Resolved with the documentation of this.
J	594	01-Sep-09	I01-40057-1	Biological Resources / Plans / Restrictions	Backfill crew had placed upland spoil within Wet Land 594-AAAA. Rockford upper management was immediately notified and a crew and equipment were hauled back to area.	All spoil was removed and wet land was restored. All wet land spoil and wet land top soil had been segregated and no mixing of soils had occurred. A tailgate meeting with backfill foreman stressing communication with tie in foremen if there is confusion with locating the correct soils and to pay closer attention to the signage placed at wetland boundaries. This problem area is resolved.
K	619.38	21-Jul-09	K04-40015-2	Failure to Adhere to Plan / Procedures	Activities to be confined to the approved ROW.	Silt fence in place in severe side-slope area could not stop chunks of earth and boulders from leaving the ROW on hillside. Silt fence was replaced but rocks and spoil off-ROW were not able to be retrieved by report time. Clean-up operations will complete recovery and file necessary variance when appropriate. Week 58 update: Conference call was held regarding the NCR. It was determined, as coordinated with FERC CM, that material and boulders may remain until clean up occurs in this area. A level one variance will then be processed for material recovery. Resolved.
K	627.07	25-Jul-09	K04-40019-2	Erosion Control	ECD's were knocked down during blasting with minor spoil entering a wetland.	crews responded and removed soils and replaced ECD's. Resolved same day.

Status as of October 29, 2009
 REX-EAST Pipeline Project - East of Lebanon
 RESOLUTION TO NONCOMPLIANCE'S AND PROBLEM AREAS

Spread/Fa cility	MP	Date	Report ID	Compliance Type	Summary	Corrective Action
K	627.14	06-Jul-09	K03-40000-2	Cultural Resources / Plans / Restrictions	The Rockies Spread K Unanticipated Discoveries Plan-artifacts, was implemented by the LEI after clearing crews uncovered possible site remnants.	A 20 foot buffer and sensitive resource signage was established per the plan and no work is allowed until processed. A Cultural representative arrived on 070709 for review. UPDATE: OSHPO issued email work release/concurrence on 07/14/09; FERC issued work release/concurrence on 07/16/09. Resolved.
K	628.11	05-Sep-09	K04-40061-2	Dewatering	Problem area recorded for a small hole found in a dewatering bag. A small amount of sediment escaped the bag and was adjacent to a waterbody. FERC CM Beisner wanted to initially record the issue as an NCR due to a brown-colored hue in the stream; which he believed was due to dewatering.	Dewatering was shut down, pumps shut off, and the bag replaced. EI checked upstream and downstream locations for heavily silt laden water. AN Imhoff sedimentation cone was utilized to determine that there was no sediment in the water from dewatering; only floatables that were visible. The unforeseen incident was handled immediately upon discovery and resolved on the spot. The resource was never harmed. The adjacent sediment was removed and the bag replaced. Resolved.
K	634.09	22-Aug-09	K03-40047-2	Other	Landslide occurred on ROW. Silt fence at edge of waterbody was buried; uprooted trees slid into waterbody blocking it.	Crews responded immediately when discovered. Report K03-40049-1 reflects that all spoil was removed from waterbody and spoil was retained by placing a wall made of wetland mats to prevent further sloughing. Resolved.
K	639	04-Aug-09	K04-40029-2	Other	Problem Area report generated only to document ROW conditions. At Clarington Hub, a landslide occurred unrelated to construction, but on the REX ROW. Along the slide area, there is a substance that is creating a sheen on ground water that is coming up out of the slide fissures. The water is surface-impounding and running down the hillside but not impacting any resources. It is noted that there is a small oil well adjacent to the area.	The hub and all construction activities are in compliance. The area of the slide will be repaired when restoration comes through. Water samples have been taken for testing. Resolved for the time being.