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

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06-1142-G A-B I N
$$

Re: Rockies Express Pipeline LLC
Docket No. CP07-208
Weekly Report \#77, Period Ending December 9, 2009
Dear Ms. Bose:
Pursuant to Environmental Mitigation Measure 7 in the Appendix to the Federal Energy
Regulatory Commission's May 30, 2008 Order in Docket No. CP07-208, Rockies Express Pipeline LLC hereby submits its weekly construction progress report for activities for the week ending December 9, 2009.

If you have any questions regarding this report, please contact Crystal Meter at (303) 914-7795.

Respectfully submitted,
/s /Shippen Howe
Shippen Howe
Van Ness Feldman
1050 Thomas Jefferson Street, NW
Washington, DC 20007
Attorneys for Rockies Express Pipeline LLC
cc: Laura Turner
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Rockies Express Pipeline LLC
REX EAST Project
FERC Weekly Report
Weekly Report \#:
77
Start: 12/3/2009 End: 12/9/2009
Environmental Training (this week / to date): 0 man hours $/ 19757.5$ man hours

0 people 114483 people
Spread/Facility Al Name Elshoff, Paul

## Summary

The Spread A-1 In-service Request was granted by the FERC on 06/25/09.
Sub Contractor is available to address eminent environmental or safety issues that arise.
There were no NCR's recorded this period.
Next Week
Sub Contractor is available to address eminent environmental or safety issues that arise.
Spread/Facility A2 Name Elshoff, Paul

## Summary

The Spread A-2 In-service Request was granted by the FERC on 06/25/09.
Sub Contractor is available to address eminent environmental or safety issues that arise.
There were no NCR's recorded this period.
Next Week
Sub Contractor is available to address eminent environmental or safety issues that arise.
Spread/Facility B Name Elshoff, Paul

## Summary

The Spread B In-service Request was granted by the FERC on 06/25/09.
Sub Contractor is available to address eminent environmental or safety issues that arise.
There were no NCR's recorded this period.
Next Week
Sub Contractor is available to address eminent environmental or safety issues that arise.

## Spread/Facility C Name Elshoff, Paul

## Summary

The Spread C In-service Request was granted by the FERC on 06/25/09.
Sub Contractor is available to address eminent environmental or safety issues that arise.
There were no NCR's recorded this period.

## Next Week

Sub Contractor is available to address eminent envirommental or safety issues that arise.

## Spread/Facility D Name Schwarz, Wes

## Summary

The Spread D In-service Request was granted by the FERC on 06/25/09.
Sub Contractor is available to address eminent environmental or safety issues that arise. Heavy rains and then snow occurred this period.

There were no NCR's recorded this period.
Next Week
Sub Contractor is available to address eminent environmental or safety issues that arise.
Spread/Facility E Name Schwarz, Wes

## Summary

The Spread E In-service Request was granted by the FERC on 06/25/09.
Sub Contractor is available to address eminent environmental or safety issues that arise.
There were no NCR's recorded this period.
Next Week
Sub Contractor is available to address eminent environmental or safety issues that arise.
Spread/Facility F1 Name Schwarz, Wes

## Summary

The Spread F-1 In-service Request was granted by the FERC on $06 / 25 / 09$.
Sub Contractor is available to address eminent enviroumental or safety issues that arise.
There were no NCR's recorded this period.
Next Week
Sub Contractor is available to address eminent environmental or safety issues that arise.
Spread/Facility F2 Name Schwar, Wes

Summary
The Spread F-2 In-service Request was granted by the FERC on 06/25/09.
Sub Contractor is available to address eminent environmental or safety issues that arise.
There were no NCR's recorded this period.

## Next Week

Sub Contractor is available to address eminent environmental or safety issues that arise.

## Summary

The Spread G In-service Request was granted by the FERC on 11/09/09.
Sub Contractor to address punch list, LO issues, gates and fencing.
There were no NCR's recorded this period.

## Next Weak

Final efforts continue.
Spread/Facility H Name Goetting, Joey

## Summary

The Spread H In-service Request was granted by the FERC on 11/09/09.
Mainline construction completed. One crew completing punchlist items and one crew completing fencing.
There were no NCR's recorded this period.
Next Week
Final punchlist items and fencing being completed.

## Spread/Facility I Name Landrum, Curt

## Summary

The Spread I In-service Request was granted by the FERC on 11/09/09.
In-Service Punchlist is complete as of 11/11/09, except for one small saturated area to be completed in the spring. Mainline work is complete. Fencing crew is all that is working.

There were no NCR's recorded this period.
Next Week
Mainline work is complete.

## Spread/Facility J Name Ezell, Rick

## Summary

The Spread J In-service Request was granted by the FERC on 11/09/09.
All work and In-Service Punchlist items are complete.
There were no NCR's recorded this period.

## Next Week

Work is complete. Drain tile repair contractor is to start.
Spread/Facility K Name Davis, Pat

## Summary

The Spread K In-service Request was granted by the FERC on 11/09/09.
Work is completed. In-Service Punchlist items are complete.
There were no NCR's recorded this period.

## Next Week

Work is complete.
Spread/Facility Arlington CS Name Kimey, Mike

## Summary

The Arlington Station in-service request was granted on June 1, 2009.
Next Week
Construction for initial work complete.

| Spread/Facility $\quad$ Bainbridge CS | Name Franzene, Eric |
| :--- | :--- | :--- |
| Summary |  |

The Spread D In-service Request was granted by the FERC on 06/25/09, including Bainbridge CS.
Construction is deemed $100 \%$ complete.

## Next Week

Work is completed.

| Spread/Facility Bertrand CS Name Vanya, Kevin |
| :--- |
| Summary |
| The Bertrand Compressor Station In-service Request was granted on June 1, 2009. |
| Construction is complete. |
| Next Week |
| Construction is complete. |

Spread/Facility Blue Mound CS Name Suggs, Garvin

## Summary

The Spread A-2 In-service Request was granted by the FERC on 06/25/09, including Blue Mound CS.
Construction is complete.

## Next Week

Work is complete.
Spread/Facility Chandlersville Name Connelly, Mike

## Summary

The REX-East In-service Request was granted by the FERC on 11/09/09, including the Chandlersville CS.
Construction is complete.

## Next Week

Work complete.

## Summary

The REX-East In-service Request was granted by the FERC on 11/09/09, including the Hamilton CS.
Work is complete.

## Next Week

Work completed.
Spread/Facility Mexico CS Name Larson, Ray

## Summary

The Spread A-1 In-service Request was granted by the FERC on 06/25/09, including the Mexico CS.
Construction is complete.

## Next Week

Construction is complete.

Rockies Express LLC
REX East Project
FERC Weekly Report
Weekly Report No: 77
Start: 12/3/2009 End: 12/9/2009
Construction Progress Tracking
None
Compliance Tracking
None

Variance Tracking
None

Landowner Complaint Resolution Tracking
Attached
Other Agency Correspondence
None

Waterbody Crossing Schedule
None
Construction Emissions Tracking
None
West of Lebanon - RestorationList
Attached
East of Lebanon-RestorationList
Attached




| Date | Mile Post | Tract | Description | Resolution | Status |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 11/4/2009 | 32 | MO-PI-052.N01 | REX has not put fence back up. Nothing is growing in several areas on property. Part of driveway needs to be graveled. | 11/17/09 Her concerns are listed on the resolution form, no additions. She was pleasant just wanted to know what was going on. Told her nothing would be done until spring due to the weather and upcoming winter. <br> Talked to landowner told her REX would talk to KM and see about getting someone from construction and EI out to her property. Pending. | Pending |
| 10/30/2009 | 33.5 | $\begin{aligned} & \text { MO-PI-063.000 \& } \\ & 064.000 \end{aligned}$ | Ground erosion and incomplete reclamation in general. | ROW met with landowners and obtained a bid for the restoration by a local contractor, ROW told landowners that they would pass this information on to KM . We also agreed on a price for the prove up dig. Pending. | Pending |
| 11/9/2009 | 58.5 | $\begin{aligned} & \text { LL-PK-093.000 \& } \\ & 94 \end{aligned}$ | LO farms the ground and he wants contact to discuss a crop damage payment for his 2nd year loss. Pending. | Pending second year estimates for payment. | Pending |

Status
Getting 2009 crop price for payment. Other issues added to Pending punch list to be addressed next spring Meeting with landowner to pay 09 crop damages. Pending.
Resolution
Description
10/29/2009 41 MO-PI-091.000\&

092.000 $\quad$| The ground on the ROW is not level. There are depressed |
| :--- |
| areas that cause water to pool and flood adjacent lands. |
| A minimum 32" ripping is required by the Easement. This |
| has not been done. |
| Rocks great than 2" are required to be picked up. This has |
| not been done. |
| Complete soil testing compared to adj. land is required. This |
| has not been done. |
| Has not received 2009 crop loss payment. |
| Drainage areas have not been cleaned out due to pumping |
| from construction. |

## 10/20/2009 35

11/6/2009 25

ROW had previously written a check for total compensation for Pending reimbursement for tile and terrace work performed by a 3rd party contractor, crop damages for 2009 along with damages as a result of a prove up dig performed in October. Prior to the temporary access lane to reach the dig location. This amount was approved by KM Operations who was supervising the prove up digs and payment was issued by ROW to L/O. The check was voided by ROW because LiO would not sign a

ROW, Land Agent now working A-1 in Missouri called L/O on 11-16-09 and is planning on meeting with him later this week.

11/18/09 ROW - L/O is extremely upset that REX has done nothing regarding restoration. His terraces are not draining, one has held water all summer, drain tile from the terraces were downsized and not draining. He's not been able to plant
because of the flooded terraces. He has not been compensated for his crop loss, dozer and land leveling and he continues to lose top soil Line marker has been placed in his field. Recent dig site has not been cleaned up. Issues added to Punchlist for completion when weather permits. Pending.

| Date | Mile Post | Tract | Description | Resolution | Status |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 11/23/2009 | 63.5 | 1L-PK-120.S02 | Sewer system leaking; gas line cut, now experiencing very high utility bills. | Report from Field Agent 12/3/09 - The reason LO called back today was because ROW had left a message on her phone that ROW was in the area so give ROW a call. She couldn't find ROW number so that was the reason she called Ohio again. | Pending |
|  |  |  |  | Corrective Actions (1)Needs all sewer laterals replaced septic tank waste is on top of the ground and running into road. (est. rec'd. by local plumber). (2)Needs gas shutoff replaced going into house. (3) Gravel on driveway gone because buried under mud from equipment and trucks entering \& exiting. (4) needs 250 ' of fence replaced. (5) Needs yard reseeded along pipeline going into house after pipeline was replaced. (6) needs 3 acres of alfalfa reseeded. (UNHAPPY) <br> Field Agent told them he would be back to settle within a week. <br> Pending. |  |
| 11/5/2009 | 41 | $\begin{aligned} & \text { MO-PI 091.000, } \\ & 092,093 \end{aligned}$ | Has not had a response from REX regarding the letter he received about the Environmental Complaint Resolution Program | Getting 2009 crop price for payment. Other issues added to punch list to be addressed next spring. Meeting with landowner to pay 09 crop damages. Pending. | Pending |
| 11/27/2009 | 36.5 | MO-P1-076.000 | LO left message on voice mail. Agent returned call. LO stated that the restoration was awful. Lime was not put down, no fertilizer and did not plant with the grass that was agreed upon. | Landowner to provide an estimate to do the work himself and will get back in touch with the field agent. Pending. | Pending |
| 10/27/2009 | 106 | II-Mo-100.S03 | Fence is loose; corner posts needs reset. | Sent it to the Ag inspector to get it added to the punch list. | Pending |
| 11/16/2009 | 103 | $\begin{aligned} & \text { IL-MO-079.002 \& } \\ & 093.000 \end{aligned}$ | 15 ' hole dug under Hwy 104 filled up with water, not crossable. | Pending appointment and follow up investigation. | Pending |


| Date | Mile Post | Tract | Description | Resolution | Status |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 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. | Added to punch list. Ag Inspection: Erosion and subsequent top-soil loss are apparent east and west of WB-IL-131-AAAA (a) $6942+22$ along the south limits of the Row. Unable to ascertain whether a water way existed in this area without some other form of documentation (pictures) but, there is a definite swale running the length of the Row where the erosion has occured however, a grassy water way does exist west and south of the above water body which may have been part of the water way that was said to have been removed. Issues added to punchlist to be completed when weather permits. Pending. | Pending |
| 11/20/2009 |  | Offline | During construction, LO reports his gas was shut off and never turned back on. He wants damages to frozen pipes and toilet addressed. | Pending appointment/investigation. | Pending |
| 10/28/2009 | 79.5 | II-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. | ROW to provide MSDS sheets to LO. Delivered. Resolved. | Resolved |
| 10/30/2009 | 93.5 | [1-MO-028.N01 | There is a gully that he can not get across without a bridge. The bridge he has was damaged and has not been repaired. There are rows of dirt that need to be moved. Someone needs to come out and look at it. | Called LO and told him that the Ag inspector had look at his issues and added the gully to his punch list, but didn't see anything wrong with the bridge, He said he had been back and looked at it himself and that we had not hurt his bridge, and if we took care of the gully he would be fine. Pending. | Pending |
| 10/20/2009 |  | IL-CS-048.000 various | Mud hole on pipeline tracts. | Called Ag Inspector asked him to look at the tract and add it to the punch list, that it sounded like a field tile problem. Field Agent advised LO that the issues have been added to the Punch list. L/O was fine with us fixing it in early spring. Pending. | Pending |


| Date | Mile Post | Tract | Description | Resolution | Status |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 12/7/2009 | 170.5 \& 1 | $\begin{aligned} & \text { IL-MC-115.000 \& } \\ & 116.000 \end{aligned}$ | LO states he has drainage issues. He would like to talk about them and he also wants a map of the tile lines on his property as promised. | Field Agent contacted L/O and has scheduled an appointment/inspection with L/O for next week -12/14/09. pending. | Pending |
| 11/26/2009 | 179.5 | IL-MU-020.000 | Crop damage and access road damage claims that have not been addressed. She was led to believe she would have had more contact with REX than she had. | Bid requested to repair drive - Added to Punch List. Pending. | Pending |
| 11/17/2009 | 216 | IL-ED-006.000 | Water along the pipeline where it was dug up - probably a broken tile line. | ROW and El have pending appointment to investigate issues. Pending. | Pending |
| 11/2/2009 | 233.3 | 11-ED-072.000 | Call placed by LO husband - timber needs to be planted. There are mud holes on property. He wants to be compensated for work he did (picked up trash etc). Crew got off ROW. | 11/11/09: ROW made appointment to meet with 10 next week to review concerns and pay settlement for work performed. <br> Trees have been planted. Other issues pending. | Pending |
| 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. | LO wants paid directly to him for a sign off .----- It was Explained REX position was that the West waterway would be placed on the construction punch list and would be reshaped, re-seeded and mulched. However it is felt after review that the rock on the access road is adequate and that the East waterway was adequate; and that there is no evidence of silt in the pond due to the construction. Landowner told Field Agent this was NOT acceptable. - Appointment set for Tue 11-10 for on site meeting with LO and REX menagement. 1 //10/09 10 am Kinder Morgan and REX met with LO to review his concerns. LO's demand has been payment for a full release. Kinder Morgan discussed that work for both waterways might be warranted and asked if LO woukd check with his excavator (because LO does not want REX to continue with work on punch list) to present a written bid for the work LO wants.-Asked if he would try to have it come in below his prior verbal demand.--n-Awaiting the written bid. | Pending |


| Date | Mille Post | Tract | Description | Resolution | Status |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 12/3/2009 | 259.5 | $\begin{aligned} & \text { IN-PE-069.000, } \\ & 70, \& 71 \end{aligned}$ | Field contours need to be restored to pre-construction condition. <br> Also, there is significant erosion in the pipeline ROW. LO has attempted to resolve the matter with the REX. REX has not provided a timeframe for resolution of his concerns. | After receipt of LO estimate 11/21/09 Kinder Morgan and REX agreed that an EI should review this tract and see what was required to restore the ROW per FERC requirements (This issue was added to the Punch List). The estimate was high, and it would require EI concurrence as to work required to be done. Before the estimate could be agreed upon REX would also require assurance if it was paid to the landowner that the work would be done. Pending. | Pending |
| 11/13/2009 | 243.5 | IN-VE-016.000 \& TAR | Unfinished restoration work. | Received Written Bid from Lubovich Excavating to correct all items listed above as an estimate only. Field Agent submitted this to REX management as also delivered copy to John Davern on 10-31-09--- LO informed Field Agent that he has 2 additional washouts that are NOT on the Lubovich bid. Field Agent told L/O that the Envir department is currently reviewing his issues and we would be in touch as soon as we knew some news. Appt. 11/09/09 to pay 2009 crop. 11/10/09 1:00pm Kinder Morgan and REX representatives met with LO's at property to review his concerns. It was discussed with the LO, that REX was going to do some more research .--- We would get back to the LO's soon. --- Kinder Morgan would like Cox Const. to give estimate of what EI feels this property needs, which would be discussed later.-- (2009 crop loss payment was also made on 11-10-09) Third party Lubovich's bid has been received. Pending. | Pending |
| 11/16/2009 | 269 | IN-PU-013.N01 | Not able to find property lines. Fence needs to be installed but can not be installed until properly lines are surveyed. | Spoke to this LO today, just prior to him calling the hot line: Told LO that REX survey did NOT have fence shots coming across his property. They ended at his west property line.-Also said that a Certif. Survey had been ordered and it was my hope that this would be done sometime this week.--- He complained that he was leaving town and how could we place fence if he wasn't here to approved the location. Asked if his son would be available. He asked, was REX going to pay him to work with me. REX said NO. We would go with the Certif. Survey and agent would be on site with them the day of the survey.--- Also said because there were no prior shots REX would be looking specially for evidence of old fence on entry and exit points of the easement..-- He said there would not be any, because REX removed it all.--- ROW advised not off ROW and that is where REX would be looking for evidence of existing fencing. -- He was not happy when we ended conversation. Pending. | Pending |


| Date | Mile Post | Tract | Description | Resolution | Status |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 12/1/2009 | 323.0 | $\begin{aligned} & \text { IN-JO-228.000 \& } \\ & \text { 228.S01 } \end{aligned}$ | Insufficient silt containment on easement boundaries. Sedimentation remaining in a pond on property. Temporary fencing and posts not cleaned up/properly disposed of. Unsatisfactory final grading/restoration. | EI and ROW met with Landowner. Issues were added to Punchlist to be completed, weather permitting. Pending. | Pending |
| 11/17/2009 | 382 | IN-FR-019.S02 | Topsoil and erosion issues at WB bank. | LO made demand through an attorney. REX legal must handle issues per ROW. El reported to ROW that no topsoil was removed from any fields. A bare area on the ROW is where subcontractor re-graded the area to fix ponding issues. Pending. | Pending |
| 11/17/2009 | 399 | IN-FR-153.S01 | Problem with a leach line. Black water coming out of it. | ROW closed this easement and worked with him during construction. The septic lateral lines were in the travel lane and Top soil dirt storage area.--He states they are laying wet, where the lines were always dry before construction.-- He has noticed this in the last few months.---- ROW inquired about a local professional that could give an opinion and estimate if needed. - He said he would call one from Brockville, IN. Also said that REX would ask a local REX rep (EI) to also drop by and investigate. Reminded him of cell number and he said he would call back when he had someone look at it from Brockville. Pending. | Pending |
| 11/6/2009 | 422.5 | OH-BU-140.000 | Gravel pile left on property and gravel spread all over property. 3 sink holes in woods. Took more trees out and has not been paid. | Items are still on punch list waiting to be completed as weather allows. Pending. | Pending |
| 10/30/2009 | 459.9 | OH-CT-006.000 | When Pipeline was put in it went through a valley. The valley drains to the Corp. of Engineer property. REX moved her dirt to Corp. of Engineer property to create a berm. The area is now about $12^{\prime \prime}$ lower than before. Standing water is collecting in the valley. A fence was put up between the property and Corp. of Engineers. The crew drove across the property to put up the fence and the area it is full of ruts. | ROW: This was discussed in our contractor morning meeting and added to the contractor punch list. In our meeting with LO, it was explained that as soon as it was dry enough we would get in and fix the transition and rut's. Called 10 10/29/09@4;40 p.m. and discussed matter with her and she understands that we needed to wait until it dries a little. Pending. | Pending |

Status

| 11/5/2009 | 452 | OH-WA-066.N03 | LO wants someone to contact him to arrange for a joint site visit to review final restoration status. | 11/11/09: Reviewed area with LO and told him we would look at photo's of area before we went through. He stated that we may not want to try and regrade and he would work with us on this. Told him REX would get back with him. Pending. | Pending |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 11/21/2009 | 536.5 | $\mathrm{OH}-\mathrm{FF}-077.000$ | LO showed a tile problem to REX reps two weeks ago and LO has not had problems addressed. | Pending appointment/investigation. | Pending |
| 11/27/2009 | 538.5 | OH-FF-083,000 | LO reports a bridge was washed out and he requested it to be replaced before deer season. The repair has not been made. | Appointment ROW \& EI to address issues with L/O set. | Pending |
| 10/23/2009 | 518 | OH-PW-093 and 095 | Pile of dirt in field needs removed. | Added to punchlist. Pending. | Pending |
| 11/10/2009 | 533 | OH-FF-050.000 | Dike or dam was built on each side of the creek (berm). This has created wet lands on field that is farmed. | ROW Agent notified the Lead Environmental Inspector of the complaint. Pending. | Pending |
| 10/28/2009 | 540.5 | OH-FF-095.000 | No seeding has been placed; afraid it will erode. | Plan to reseed location pending weather and seasan or correct any erosion by spring time to have the land ready for farming. | Pending |

Added to punchlist. Pending. complaint. Pending.
Dike or dam was built on each side of the creek (berm). This has created wet lands on field that is farmed.
OH-FF-050.000
11/10/2009 533
10/28/2009 540.5

## Date Mile Post Tract



Description
TAR. Wants ROW agent to call him.
11/27/2009
11/27/2009 509

## 11/28/2009 536 <br> 976.000 Erusion problems that have not been fixed - <br> Issues with restoration have not been resolved

Pending
Hotline. LO also noted the outstanding issues with his tracts the
which are:
2. Sunken spot in driveway
3. Fence replaced
4. Rough grading and uneven
5. Reseeding pasture / pond are
6. Possible tile not repaired area
7. Low grade on TAR near
7. Low grade on TAR near boundary fence line
LO understood the work is still in progress and not
completion. Pending.
completion. Pending.
Michaels will reseed areas in the week of 1006 in progress and not near final
permitting, spread clean-us in the week of 10/26, weather
and at that point, Michaels will come back to within 2-3
property and repair grade work along with removing excess
satisfied with this plan of discussed with landowner and
salsied with this plan of action. Pending.
Pending.
LO wants someone other than current ROW agent to call him
regarding "quite a few problems on his farm.
-
-
9/17/2009

| Date | Mile Post | Tract | Description | Resolution | Status |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 12/7/2009 | 571.5 | $\begin{aligned} & \text { OH-MK-124.000 } \\ & \& 125.000 \end{aligned}$ | Complained that three ponds have been destroyed. Two are completely filled with mud. The pump for well that feeds from one pond had to be replaced. Has spoken to field agent but issue is not resolved. LO has thoroughbred horses and is dependent upon the ponds. | Contact and investigation is pending. | Pending |
| 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 offROW. | 10-26-09 Field Agent addressed the low spots and mud/rocks with Lead Environmental Inspector. LEI is instructing an EI go to this tract and inspect landowner's issues. Received a call from lo (Nov, 16th) stating that LO sees stakes marked on property line, and wanted to confirm that is his property line. Field Agent contacted civil survey, and confirmed that is the property line staked out. <br> 12-2-09 Field Agent called LO back to inform him that his property has been staked out what REX disturbed. Field Agent asked LO if the old fence was removed. LO stated it must have because he doesn't see it out there anymore. Resolved. | Resolved |
| 11/25/2009 | 599 | $\begin{aligned} & \text { OH-GN-057.N01 } \\ & \& 058.000 \end{aligned}$ | Has issues to discuss with land agent. | LEI said waterbar in an area can be removed. Area will be backbladed to knock down ruts. Currently too wet for work. Pending. | Pending |
| 12/3/2009 | 610 | $\begin{aligned} & \text { OH-GN-130.000 } \\ & \& 137.000 \end{aligned}$ | Corner survey stakes are not there and fencing is gone. | From Field Agent 12/03/09-L/O states that $2 \mathrm{p} / 1$ corners have been removed as well as a p/l fence. Surveyors marked the only corner they found missing, ROW has made arrangements with the contractor and survey team to meet with Mr. Jenkins who is an absentee $1 / \mathrm{o}$ when the contractor returns after 12/08/09. LO is satisfied with arrangements. Pending. | Pending |

Status
e have ripped LO's ROW per our mitigation agreement and Pending We additional time. We had a crew picking up rock for 2 days. LO has not responded to an offer presented to him as to him building a pond. Have had several bids from contractor's, and LO insists on building it himself or providing labor and equipment if another contractor builds pond. In addition Lead El has spoken to LO and explained our process of restoring his a shaker process to filter his soil before topsoiling, Informed him that was not required per our agreement. Further assured him if there was rock present in the spring we were required to remove them. He remains unsatisfied.
12-03-09 - LO refused the offer by REX to settle this issue and has requested payment to rebuild the pond.
ROW has made several calls. LO wife took message. Will continue to contact to make an appointment. Pending. Sowed wrong seed; rocks pushed into meadow off-ROW; water draining onto adjacent property now; rocks needed at culvert. 000 270-7日-HO 10/23/2009 627.7

## 10/16/2009 632.7 OH-BL-068.000 Construction disruption of a spring and pond.

Description
Trac
Mile Post
Date
Resolution

| $10 / 16 / 2009$ | 632.7 | OH-BL-068.000 | Construction disruption of a spring and pond. |
| :--- | :--- | :--- | :--- |
| $10 / 23 / 2009$ | 627.7 | OH-BL-042.000 | Sowed wrong seed; rocks pushed into meadow off-ROW; <br> water draining onto adjacent property now; rocks needed at <br> culvert. |

11/6/2009 632.5 OH-BL-068.000 LO crop ground is full of rocks. Top soil is thin. Subsoil was his pond for livestock. Spring box is broken.
Fence not repaired right; Crews removed a section that should not have been touched.

## OH-BK-004.000

10/26/2009 $\quad 618.5$
Rockies Express Pipeline LLC

## REX EAST Punchlist Updated 12/09/2009

${ }^{138} 483$


## Rockles Express Pipeline UC

Rockies Express Pipeline LLC

Rockies Express Pipeline UC
REX EAST Punchlist
Updated 12／09／2009

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Rockies Express Pipeline LLC

## LLC <br> kies Express Pipeline REX EAST Punchlist Updated 12/09/2009 Ro <br> Updat

## 5-08 9.09 $9-09$

|  |  | 249.50 | Pick rock | Complete 10-15-08 |
| :---: | :---: | :---: | :---: | :---: |
|  |  | 249.50 | Remove debris | Complete 11-09-09 |
|  | S360E | 245.80 | Remove debris | Complete 11-09-09 |
|  | Littie raccoon | 245,10 | Repair E bank erosion | NOT Complete, estimated repair 12-26-09 |
|  |  | 244.70 | drain tile ditch settling, N edge ROW | Complete 11-12-09 |
|  |  | 241.95 | Remove safety fence and check for low spots and possible re-grade | Complete 11-12-09, LO sign off 10-28-09 |
|  |  | 241.95 | Rocks, stakes, slit fence at sink hole, settling from drain tile | Complete 9-15-09 |
|  | HWY 71 | 240.30 | West side north corner repair ruts in ROW. | Complete 10-01-09 |
|  |  | 239.50 | $700 \mathrm{ft} \mathrm{drain} \mathrm{tile} \mathrm{to} \mathrm{be} \mathrm{installed-FRED} \mathrm{COX} \mathrm{NOTIFIED}$ | Complete 9-19-09 |
|  |  | 238,30 | Repair subsidence at Drain Tile-Fied Cox NOTIFIED | Complete 11-12-09 |
|  | GAS E500S | 243.20 | Check grade of access pad and bar ditch to match flow | El verified wark not needed. |
| Spread E |  |  |  |  |
| IN-MN-018.000 |  |  | Checkfrepair erosion on hill side |  |
| IN-NTN-019.000 |  |  | Erosion on hill side |  |
| IN-MN-027.009 |  |  | Check erosion |  |
| IN-MN-027.S01 |  |  | Check erosion |  |
| $\mathbb{N}-\mathrm{M}$ N-0 032.006 |  |  | Check for low spots and possible re-grading |  |
| IN-MN-0053.S06 |  |  | Check grade |  |
| IN-MN-061.SO1 |  |  | Check grade |  |
| [ $\mathrm{N}_{2}$ J $\mathrm{O}-213.501$ |  |  | Remove temp fence. |  |
| $\underline{N}$ |  |  | Vinylfencing replaced, driveway repair, seeding |  |
| IN-JO-260.000 |  |  | Check for low apota and possible re-grading |  |
| IN-JO-261.000 |  |  | Fencing, seeding |  |
| IN-JO-282.000 |  |  | Fencing, seeding |  |
| $0 \mathrm{~N} \sqrt{0}-2929.000$ |  |  | Repair water bar |  |
| W-JO-303.000 |  |  | Seeding, fence |  |
| N-JO-318.000 |  |  | Repair erosion and check for low spots and possible re-grading |  |
| W $\overline{\mathrm{N}}$ - $\mathrm{SB}-085.000$ |  |  | Remave debris |  |
| W-SB-087.001 |  |  | Remove dabris |  |
| N-SE-087.002 |  |  | Remove debris |  |
| W-SE-146.000 |  |  | Pick uprock |  |
| W-SB-147.000 |  |  | Pick up rock |  |
| W-SB-203.S01 |  |  | Check erosion and check pond |  |
| (N-SB-204.000 |  |  | Gravel lane |  |
| N-SB-205.000 |  |  | Gravel lane, put back fence |  |
| N-SB-206.000 |  |  | Put back fence |  |
| WN-SB-209.000 |  |  | Gravel lane |  |
| N-SB-213.000 |  |  | Check for low spots and possibje re-grading |  |
| W-SE-214.000 |  |  | Check for low spots and possible re-grading |  |
| WN-DC-073.000 |  |  | Check grade |  |
| So Sorsad FA | L | S anemitit | , \% |  |
|  |  | Spreadwide | Removal of remaining temporary ECD's spread wide. | Complete 11/8/2009 |
| $\begin{gathered} \text { IN-FR-019.001, } 019.502 \\ 020.000 \\ \hline \end{gathered}$ |  |  | Check prade and erosion | Complate 11/2/2009 |
|  | Pipa Creak |  | Check for low spots and possible re-grading |  |
|  | Salt Creek |  | Repair east and west benks | Complete 11/14/2009 |
|  |  | 389-392 | Repair erosion | Complete 11/12/2009 |
| 109,001, 110,000 | Hiohland center Rd |  | Check for low spota and possible re-grading | Eatimated complation $22 / 20 / 2009$ |
| 128.001 |  |  | Check for possible tile or arading problem |  |
|  | Big Codar Rd |  | Check for possible tile or grading problem. | Complete 11/12/2009 |
|  | , |  |  | (x)d? 1 |
|  |  | Spread wide | Removal of remaining temporany ECD's sproad wige. | Completed 11/18/09 |
| 053,000,055,000,057,000 |  |  | Check prade | Complated 11/18/09 |
|  | WB-OH-400-B to Relly Millvile Rd. |  | Check grade and slope breaker | Comploted 11/14/09 |
| OH-EU-105.000 |  |  | Restore grass waternay | Complated 11/17/09 |

heck ECDs at waterway banks

| WB-OH-411-A |  |  | Check ECDs at waterway benks | Completed 11/17/08 |
| :---: | :---: | :---: | :---: | :---: |
| OH-BU-174.000 |  |  | Check grade | Completed 11/17/09 |
| OH-WA-020.S01 |  |  | Slope breaker removal on tract | Completed 1 1/17709 |
| OH-WA-024, 004, 005, 001 |  |  | Pick rock | Completed 11/17/0s |
| Spread 6 |  |  |  |  |
| OH-WA-024.005 |  | 444 | Pick rock (away side of $\mathrm{H}_{\text {wy }} \mathbf{1 2 2}$ ) | 12/22/2009 estimated complation |
| OH-WA-031.000 |  | 445.2 | Check low area to East for possible re-grading | 12/23/2009 estimated oompletion |
| OH-WA-034.000 |  | 446.3 | Remove timbers in R.O.W.; pick rock | Complete 11-12-09 |
| OH-WA-036.000 |  | 448.5 | Pick rock and remove stumps | Forested erea not required by easement or P\&P |
| OH-WA-041.000 |  | 448 | Pick rock | 12/22/00 estimated completion |
| OH-WA-042.S01 |  | 448 | Check for low area and possible ee-grading | 12/18/2009 estimated completion |
| OH-WA-044.000 |  | 448.3 | Correct access across pipeline | Completed 11/18/09 |
| OH-WA-063.000 |  | 451.6 | Check for low spots at HDD \& Bore location for possible re-grading. | $12 / 2012008$ estimated complation |
| OH-WA-066.N02 |  | 451.7 | Pick rock and seed | Complete El signed off |
| OH-WA-073.000 |  | 452.3 | Repair driveway | LO compensated |
| OH-WA-075.N01 |  | 452.3 | Repair erosion in back of property | Complate 11-12-09 |
| OH-WA-084.000 |  | 454.2 | Check for low spots and possible re-grading | 12/24/2009 ealimated completion |
| OH-WA-085.000 |  | 454.3 | Repair erosion; correct fences; remove gravel in drive \& pad; draq drive | 12/24/2009.08imated completion |
| OH-WA-087.000 |  | 455.2 | Repair erosion | 12/23/2009, estimited completion |
| OH-CT-008.000 |  | 460 | Re-grade ruts and transition | Complete 11-08-09 |
| OH-CT-007.000 |  | 460.1 | Check water line for repair | LO compensated |
| OH-CT-027.000 |  | 463.1 | Check for low spot and possibib re-grading | 12/24/2009 estimated campletion |
| OH-CT-049.000 |  | 466.6 | Gravel on ditives (2) 1 part done; repair property pens | 12/28/2009 estimatad campletion und unimm |
| OH-CT-050.000 |  | 466.7 | Check for low spota and possible regrading | $12 / 24 / 2009$ estimated completiont: $1 / 1.4 .4$. |
| OH-CT-058,000 |  | 468 | Add bese and gravel on lane crossing R.O.W (ONE NEEDED) | 12/23/2009 esilmatad oompletion |
| OH-CT-061.000 |  | 489 | Repair property pens, seeding | Comploted 12/05/09 |
| OH-CT-062.000 |  | 469 | Repair property pens, seeding | Completed 122i09. |
| OH-CT-077.000 |  | 472.5 | Check for low spot and possible re-prading or drain bile repair \% entrance | Completed 11-15-09 |
| OH-FY-005.000 |  | 477.5 | Remove debris | Comploted 120200 |
| OH-FY-013.000 |  | 480.1 | Check for low spot and possible re-grading or drain tile repair | 1212 SF 2006 estimated complation |
| OH-FY-021.000 |  | 484 | Replace concrate marker | No. marker neegded on this tract |
| OH-F7-021.S02 |  | 484 | Add gravel in lane, replace pata, replace concrete marker | Comploted 1203/09: |
| OH-FY-028.SO1 |  | 485.5 | Re-grade and remove stumps | 12128/2000 estimated complation - |
| Spread H |  |  |  | \%2 |
| OH-FY-069.000 | GA Knight | 497 | Check low spots in ag field for possibile re-grading |  |
| OH-PW-002,000 | GA Waterico | 500.1 | Check low spot for possibla re-grading; area needs smoothed where silt fence was removed at creek. | Completed 11/i1709 |
| OH-PW-003.000 | GA Waters Rd | 500.4 | Check low spots for possible re-grading; correct weter bar holding water at wb-489-bbb. |  |
| OH-PW-026 | Cl 5 pts. | 504.8 | Waterbars on slope need reshaped, waterthars holding water, sitt fence needs removed. | Completed 11/20/09 |
| OH-PW-030.000 | GA 5 pts. | 505.3 | Grass strips need seeded. | Completed 10/29/2009 |
| 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 | Completed 1 1/23/06. |
| OH-PW-057 | Off of Darby Rd. | 510 | Tile repair needed, sidos of access rd need seeded. | Complated 10/29/2009 |
| OH-PW-DEO | Off of Darby Rd. | 510.2 | Area near creek needs recontoured. | Comploted 11/14/2009 |
| OH-PW-067 | Cll Turney Caldwell | 511.1 | Gravel drive that crossas the ROW is washing; re-spply gravel and check drainage. | Completed 10/2992009 |
|  | GA HWy 23 | 515.3 | Access Rd needs ripped leading to drill pad. | Complated 11/20/09 |
| OH-PW-090 | CILackbourne | 517.5 | Several sink holes, waterbar needs moved, silt fence needs removed and tile work possible. | Completed 11/15/09 |
| OH-PW-089 | GA Cromely Rd. | 516.7 | Stumps need removed, remove excess rock in eg field, timber area needs graded and access ro needs rocked. | Completed 11/23/09 |
| OH-PW-092 | GA Lockboume Rd. | 517.8 | Stumps need removed. | Completed 11/23/09 |
| OH-PW-093 | GA Lockboume Rd. | 518 | Rocks and wood debris in field need removed; oheck ditch line for subsidence and re-grading | Complated 11/14/09 |
| OH-PW-111 | CI Bloomfield Rd. | 520 | Sink hole Cl side of access rd, low spot at creek big rocks in field. |  |
| OH-PW-113 | GA Bloomfled Rd. | 520.5 | Grade lssues, Grass areas need seeded near creek, approach rock needs removed Cl side of Winchester Rd. | Comploted 11/24/09 |
| OH-PW-114 | CI Eit Nocher. | 521 | Check low spots in ag field for regrading; access rd tadges need seeded. | Completed 11/20109 |

Rockies Express Pipeline LLC
REX EAST Punchlist
Updated 12/09/2009
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|  |  | $\begin{gathered} \hline \text { GN 026, } 028 \& \\ 028 \\ \hline \end{gathered}$ | Water bars in pasture area too big for LO's equip. to travel over; additional gradework may be necessary | Too Wet at this time will monitor |
| :---: | :---: | :---: | :---: | :---: |
|  | Okey \& Pine Lake Road |  | Remove road approach rock both sides | Completed 11/7/2009 |
|  | WB-OH-577-8 | 591.9 | Banks of waterbody need seeding. | Completed 11/8/2009 |
|  |  | 584 | Remove timber debris in ag field | Completed11/7/2009 |
|  | WE-581-B | 596.1 | Checkfcorrect subsidence in waterbody and re-grade in ag field | Too Wet at this time will monitor |
|  |  | 577.5-581.5 | Flagging, stakes and signage need to be removed | Completed19/1 $1 / 2009$ |
|  |  | 577.5 | Seed \& stabilize CIS HWY 60 (bar ditch) | Completed 11/6/2009 |
|  |  | 577.5 | Remove flagging on power poles | Completed 11/11/2009 |
|  |  | 577.6 | Repair blown-out slope breaker above well road. Repair erosion on south side of ROW | Complated 11/6/2009 |
|  |  | 577.8 | Repair erosion in swale | Completed 11/11/2009 |
|  |  | 577.8-577.8 | Re-seeding needed | Complated 11/9/2009 |
|  |  | 577.9 | Check/correct deap cracks appearing in steap slope | Completed 11/11/2009 |
|  |  | Spread Wide | Water bars have erosion channels in throats, need HB checks installed and reseeded | Completed 11/14/2009 |
|  |  | Spread Wide | Survey Laths need picked up after the Installation of the line marker posts | Completed 11/14/2009 |
| SpreadK | $\cdots$ |  |  | ,y |
|  |  | 813.8-813.9 | Repajr erosjon and re-seed | Completed 11/8/2009 |
|  |  | 613.5 | Instatl ECDs at ends of two permanent slope breakers | Complated 11/8/2009 |
|  |  | 614.2-614.3 | Re-seeding needed | Complated 11/8/2009 |
|  |  | 612.6-613.3 | Repair erosion and re-seed | Completed 11/6/2009 |
|  | WB-OH-615-EEE | 616.6 | Re-seedirg needed | Completed 11/5/2009 |
|  |  | 615.6-615.5 | Re-seeding needid | Completed 11/8/2009 |
|  |  | 814.6-614.7 | Re-seeding needed | Completed 11/8/2009 |
|  |  | 814.07 | Replace straw bales on the NE gide of WB | Completed 11/6/2009 |
|  |  | 614.38 | Replace strew bales on S side of ROW | Complated 1 1/8/2009 |
|  |  | 614.07-614.38 | Re-seedina needed | Completed 11/8/2009 |
|  |  | 610.19-611.99 | Re-seeding needed | Complated 11/8/2009 |
|  | WB-OH-610-BEB | 611.41 | Remove/repair loose curiex in waterbody | Completed 11/10/2009 |
|  |  | 611.83-611.97 | Install ECD's at the end of permaneni slope breakers | Completed 11/11/2009 |
|  |  | 611.58 | Seed/sead-aid needed in area of Dominion Valve | Complated 11/11/2009 |
|  | WB-0H-633-CCCC | 633.18 | Correct curlex installation on east bank of waterbody | Completed 11/11/2009 |
|  | WL-OH-618-A | 633.68 | Correct curlex installation on both banks of walerbocy | Completed 11/11/2009 |
|  | WB-OH-618-C | 633.71 | Correct curlex installation on both banks of walerbody | Completed 11/11/2009 |
|  |  | 638.84 | Clarinoton Hub station. Re-contour landslide area on the north east side | Completed 11/11/2009 |

