

**BEFORE THE TENNESSEE PUBLIC UTILITY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:** )  
 )  
**PETITION OF ESG PIPELINE (JC),** )  
**LLC TO ABANDON SERVICE AND** ) **DOCKET NO. 18-00121**  
**AND SURRENDER CERTIFICATE** )

**PETITION OF ESG PIPELINE (JC), LLC TO ABANDON  
SERVICE AND SURRENDER CERTIFICATE**

ESG Pipeline (JC), LLC (“ESG-JC”) petitions the Tennessee Public Utility Commission pursuant to T.C.A. § 65-4-114(2), to abandon its methane gas distribution pipeline in Johnson City, Tennessee and surrender its certificate of convenience and necessity.

ESG-JC holds a certificate to own and operate a four-mile gas pipeline located in Johnson City, Tennessee. See “Application of ESG Pipeline (JC), LLC for a Certificate of Convenience and Necessity to Operate a Processed Methane Gas Distribution System in Johnson City, Tennessee,” Docket No. 05-00244, April 19, 2006 (hereafter, “the Order”). The pipeline carried processed methane gas from the Iris Glen Landfill to a single industrial customer, Mountain Home Energy Center, LLC (“Mountain Home”). Order, 2. Both ESG-JC (the pipeline owner) and Mountain Home (the pipeline’s only customer) are subsidiaries of Energy Systems Group, LLC (“ESG”). Id.

At one time, the owner of the pipeline hoped to expand operations to distribute methane gas to as many as four industrial customers (Order, 2) but because of the low price of natural gas, it is no longer economical to produce, process, and sell methane gas in competition with natural gas. No other customers were ever added to the line and no gas has flowed through the pipeline for over a year. For these reasons, ESG decided to decommission the pipeline and surrender the certificate held by ESG-JC.

As explained in the pre-filed testimony of Mr. Mike Nasiatka, (Exhibit A, attached), there is no longer a public need for the pipeline. Since both the pipeline and Mountain Home are owned by ESG, ESG has directed that the transportation contract between ESG-JC, the pipeline owner, and Mountain Home, that was approved by the Commission in Docket No. 05-00244 (Order, 3-4), be dissolved.<sup>1</sup> The pipeline company has also taken steps to decommission the pipeline in accordance with federal pipeline safety rules (see 49 C.F.R. § 192.727<sup>2</sup>) and terminate the pipeline's easements.<sup>3</sup>

For these reasons, ESC-JC respectfully asks that it be allowed to abandon the pipeline and surrender its certificate.

Dated this 27<sup>th</sup> day of November, 2018.

Respectfully submitted,

BRADLEY ARANT BOULT CUMMINGS LLP

By: 

Henry Walker (B.P.R. No. 000272)  
Bradley Arant Boult Cummings, LLP  
1600 Division Street, Suite 700  
Nashville, TN 37203  
Phone: 615-252-2363  
Email: [hwalker@babbc.com](mailto:hwalker@babbc.com)

*Counsel for ESG Pipeline (JC), LLC*

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<sup>1</sup> Attached as Exhibit B is the agreement between ESG-JC and Mountain Home to terminate the parties' transportation agreement.

<sup>2</sup> Attached as Exhibit C is a copy of the notice of decommissioning filed with the Commission's Gas Pipeline Safety Division.

<sup>3</sup> The pipeline runs through easements granted by Johnson City and by Bio Energy (Tennessee II), LLC, ("Bio Energy"), the current owner of the methane treatment plant located at the landfill. ESG-JC, Johnson City and Bio Energy have agreed to terminate all of the pipeline's easements. See "First Amendment to Agreement and Easements," attached as Exhibit D.

**EXHIBIT A**

**Pre-Filed Testimony of Mike Nasiatka**

See attached.

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0E1720-085308  
4846-2258-1888.1

Q. Is the pipeline still being used?

A. No. It is no longer economically viable to produce, process, and transport methane gas in competition with natural gas which Mountain Home is now using. As a result, the pipeline has not been used in more than a year.

Q. In light of the fact that the pipeline is no longer being used, is there a public need for the pipeline's services?

A. No there is not.

Q. Have you read and can you confirm the information contained in the Petition?

A. Yes. The information in the Petition is correct to the best of my knowledge.

Q. Are there any interested parties who would be adversely affected by closing the pipeline?

A. No. As I said, Mountain Home has agreed that the pipeline be closed. Moreover, both Johnson City and Bio Energy, which is the entity that now owns the methane processing plant at the landfill, are in agreement that there is no further need for the pipeline, as evidenced by their agreement that the pipeline's easements be terminated.

Q. What are you asking the Commission to do?

A. We ask that the Commission grant our request to abandon the pipeline and surrender the company's certificate.

Q. Does this conclude your testimony?

A. Yes.

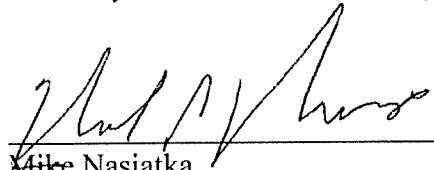
BEFORE THE TENNESSEE PUBLIC UTILITY AUTHORITY  
NASHVILLE, TENNESSEE

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LLC TO ABANDON SERVICE AND ) DOCKET NO. 18-00121  
AND SURRENDER CERTIFICATE )


STATE OF CALIFORNIA )  
)  
COUNTY OF SAN DIEGO )

AFFIDAVIT

*Michael G.*  
I, *Mike* Nasiatka, Senior Director of Operations Services of Energy Systems Group, hereby  
certify that the information contained my Pre-Filed Testimony is true and correct to my best of my  
knowledge.

  
\_\_\_\_\_  
Mike Nasiatka  
*Michael G.*

Sworn to and subscribe before me  
This 26 day of November, 2018.

  
\_\_\_\_\_  
EZRA VALDEZ  
NOTARY PUBLIC

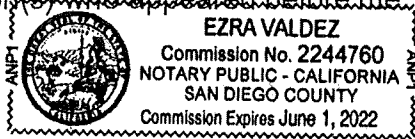
My Commission Expires: June 1, 2022

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of SAN DIEGO

Subscribed and sworn to (or affirmed) before me on this 26<sup>th</sup>  
day of November, 2018, by Michael Nasiatka

proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me.



(Seal)

Signature [Signature]

**EXHIBIT B**

**Agreement to Terminate Transportation Services Agreement**

See attached.



**AGREEMENT TO TERMINATE  
TRANSPORTATION SERVICES AGREEMENT**

The Agreement is effective as of November 19, 2018 and is between Mountain Home Energy Center, LLC, an Indiana limited liability company ("Customer") and ESG Pipeline (JC), LLC, an Indiana limited liability company ("Transporter").

WHEREAS, the parties entered into that certain Transportation Services Agreement dated August 19, 2005 (the "TSA") pursuant to which Transporter agreed with Customer to transport, via pipeline (the "Pipeline"), processed methane gas procured by Customer from a third-party supplier located at Iris Glen Landfill; and

WHEREAS, no gas has been transported in the Pipeline since June, 2017; and

WHEREAS, the third-party supplier has discontinued operations at Iris Glen Landfill and no longer is producing processed methane gas there; and

WHEREAS, Transporter has ceased all use of the Pipeline, decommissioned the Pipeline as of November 6, 2018, and abandoned the Pipeline on November 15, 2018;

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. Each party waives any notice period that may be required in the TSA.
2. The TSA, including any amendments thereto, is hereby terminated immediately.

Mountain Home Energy Center, LLC

ESG Pipeline (JC), LLC

**Greg Collins**

Digitally signed by Greg Collins  
Date: 2018.11.20 11:20:55  
-08'00'

By: Gregory F. Collins  
Title: President

**Lawrence Roth**

Digitally signed by Lawrence  
Roth  
Date: 2018.11.20 10:37:36  
-08'00'

By: Lawrence Roth  
Title: Senior Vice President

**EXHIBIT C**

**Notice to Gas Pipeline Safety Division of the  
Tennessee Public Utilities Commission  
concerning ESG Pipeline (JC), LLC**

See attached.



November 15, 2018

Sent via email to: [Tim.Thompson@tn.gov](mailto:Tim.Thompson@tn.gov) on 11/15/2018

Tennessee Public Utility Commission  
Gas Pipeline Safety Division  
Attn: Tim Thompson, Engineer  
502 Deaderick Street, 4th Floor  
Nashville TN 37243

Dear Mr. Thompson:

This letter is our formal notification regarding the abandonment and decommissioning of our pipeline listed under the Operator Name: ESG Pipeline (JC), LLC and PHMSA OPID: 32298.

Our pipeline was abandoned and decommissioned per §192.727 *Abandonment or Deactivation of Facilities* and purged per §192.629 *Purging of Pipelines* effective **Tuesday, November 6, 2018.**

As of **Tuesday, November 6, 2018** ESG no longer operates a pipeline within the state of Tennessee.

Please find enclosed copies of the Pipeline Purge & Abandonment Report, Operator Registry Notification form F1000.2, and the Tennessee 811 notification.

Let me know if you have any questions.

Regards,

A handwritten signature in black ink, appearing to read 'Greg Luff', written over a white background.

Greg Luff  
Manager, Environmental, Health & Safety  
Energy Systems Group

# Pipeline Purge & Abandonment Report

# **PIPELINE PURGE & ABANDONMENT REPORT**

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Energy Systems Group (ESG)  
OPID # 32298  
Iris Glen Landfill  
1705 E. Main Street  
Johnson City, TN 37601

**November 5-6, 2018**

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## I. PIPELINE PURGE & ABANDONMENT

### A. GENERAL

Energy Systems Group (ESG) owns and operates a four mile landfill gas pipeline (PHMSA OPID #32298) that originates at the Waste Management Iris Glen Landfill located at 1705 E. Main Street, Johnson City, TN 37601 and terminates at the Mountain Home Energy Center (MHEC) located at 4<sup>th</sup> Street and Maple Avenue, Johnson City, TN 37604. MHEC is the only customer served by this pipeline. ESG has opted to purge and abandon the pipeline, disconnect the pipeline from the source of supply at the landfill, and seal the ends

### B. ABANDONMENT OR DEACTIVATION OF FACILITIES

49 CFR 192.727 requires operators to conduct abandonment or deactivation of pipelines in accordance with certain requirements as follows:

*§ 192.727 Abandonment or deactivation of facilities.*

*(a) Each operator shall conduct abandonment or deactivation of pipelines in accordance with the requirements of this section.*

*(b) Each pipeline abandoned in place must be disconnected from all sources and supplies of gas; purged of gas; in the case of offshore pipelines, filled with water or inert materials; and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.*

*(c) Except for service lines, each inactive pipeline that is not being maintained under this part must be disconnected from all sources and supplies of gas; purged of gas; in the case of offshore pipelines, filled with water or inert materials; and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.*

*(d) Whenever service to a customer is discontinued, one of the following must be complied with:*

*(1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator.*

*(2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly.*

*(3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed.*

- (e) If air is used for purging, the operator shall insure that a combustible mixture is not present after purging.*
- (f) Each abandoned vault must be filled with a suitable compacted material.*

*(g) For each abandoned offshore pipeline facility or each abandoned onshore pipeline facility that crosses over, under or through a commercially navigable waterway, the last operator of that facility must file a report upon abandonment of that facility.*

#### C. SYSTEM DESCRIPTION

ESG owns a 6" HDPE landfill gas pipeline approximately 4 miles in length that originates at the Waste Management Iris Glen Landfill located at 1705 E. Main Street, Johnson City, Tennessee and terminates at the Mountain Home Energy Center located at 4<sup>th</sup> Street and Maple Avenue, Johnson City, Tennessee. (see map).

The pipeline is located in Class 1, 2, and 3 locations.

#### D. PURGING OF PIPELINES

Purging is the process of completely removing one type of gas from a pipeline or section of pipeline and replacing it with another. In actual practice, the purging process has either of the following two results:

- (a) Replaces all the air or inert gas with natural/landfill gas*
- (b) Replaces all the natural/landfill gas with air or inert gas*

If a section of pipe is taken out of service to replace, repair, or abandoned, all the natural/landfill gas must be removed from the pipe. If a section of pipe is placed into service, all the air needs to be removed. Either way, the piping must be purged. During the process of starting up or shutting down any pipeline or section of piping, care must be taken to make sure the MAOP of the pipeline is not exceeded at any time.

When purging a pipeline, 49 CFR 192.629 requires the following:

##### *§ 192.629 Purging of Pipelines.*

*(a) When a pipeline is being purged of air by use of gas, the gas must be released into one end of the line in a moderately rapid and continuous flow. If gas cannot be supplied in sufficient quantity to prevent the formation of a hazardous mixture of gas and air, a slug of inert gas must be released into the line before the gas.*

*(b) When a pipeline is being purged of gas by use of air, the air must be released into one end of the line in a moderately rapid and continuous flow. If air cannot be supplied in*



*sufficient quantity to prevent the formation of a hazardous mixture of gas and air, a slug of inert gas must be released into the line before the air.*

#### 1. Notifications Prior to Purge

Prior to the beginning of a purging operation, appropriate notifications shall be given to customers, local public officials, and the public in the vicinity of the purging operation if:

- A. It is anticipated the release of gas/air may disturb normal traffic flow; and/or
- B. It is anticipated that there may be calls from the public regarding the purging operation; and/or
- C. It is anticipated that the public may be affected by the purging process by things such as:

- 1. High Noise Level    2. Strong Odor    3. Possibility of Accidental Ignition

Contact: WMRE (866.909.4458)      EDI: Dennis Bollinger (615.636.3386)

#### 2. Prevention of Accidental Ignition

When conducting purging operations, all potential sources of accidental ignition must be eliminated. There are two specific areas of potential ignition hazard that must be considered:

- A. Ignition of the purge discharge - At some point in the purging process, a combustible gas-air mixture is released from the discharge riser and may exist for an extended period of time. If there is an accidental ignition when purging, it is most likely to occur at the discharge riser. Preventing accidental ignition at the riser is the most important safety consideration when purging.
- B. Ignition within the piping - Take every precaution to prevent ignition within the piping itself. Ignition within the piping can occur if the purge discharge is accidentally ignited.

It is important that employees recognize potential ignition sources and keep these sources from coming in contact with a flammable gaseous atmosphere.

#### 3. Venting

To purge safely, always install proper discharge venting before purging. Vent piping must end in a vertical section, discharge riser, or stack, attached to the main. The method of attachment depends upon pipe material and available equipment.

#### 4. Additional Safety Precautions

In addition to guarding against ignition hazards, the following safety precautions should be followed:

- A. If in an area where public access is likely, place barricades, traffic cones, or the controlling devices with suitable warning signs to limit ingress by the public.
- B. Never purge a line in any way that might let gas enter a building or confined space.
- C. Set up an approved fire extinguisher at the purging site, placing it upwind. Keep the extinguisher manned throughout the purging procedure.
- D. Suitable personal protective equipment shall be used by personnel commensurate with the purging operation. Example(s):
  - 1. Flame Retardant Clothing
  - 2. Eye Protection
  - 3. Hearing Protection
  - 4. Hand Protection
  - 5. Other as Needed
- E. Ensure that a means of adequate communication is available and established for purging operations where the purge riser location and the means for controlling the release of the air, gas, or inert gas is not in the same vicinity so that the flow may be halted in the event of an emergency.
- F. Do not perform any welding on piping containing a natural/landfill gas and air mixture.

**5. Purging with Air or Inert Gas**

Normally a facility is purged with air or an inert gas, such as nitrogen, to remove natural/landfill gas whenever either:

- A. Repairs are made to the facility, or
- B. It is abandoned in place.

Purging with air requires particular attention to safety details, since it can present more safety problems than purging with natural/landfill gas. The flammable limits of natural/landfill gas range from 4.5% to 14.5% gas-in-air. Introducing large volumes of air into a gas line (low gas-air ratio) is more likely to create combustible gas-air mixtures in the line than introducing large volumes of natural/landfill gas into an air-filled line (high gas-air ratio).

Gas can be displaced with air provided, moderately rapid and continuous flow of air is introduced at one end of the line and the gas vented out of the other end. If air cannot be supplied in sufficient quantity to prevent the formation of a hazardous mixture of gas and air, a slug of nitrogen must be released into the line before the gas. The air flow should be continued without interruption until the vented air is free from gas as determined by using a CGI on the lower (5%) scale. The discharge must be read continuously with a CGI until a sustained reading of 0% is obtained.

## E. PROJECT ACTIVITIES

The following is a timeline and summary of activities that were conducted to remove the odorizer, purge the pipeline of any flammable gas, and abandon the pipeline in place.

A. October 31, 2018 – Jason Brangers contacted Tennessee 811 to request a locate ticket for excavation work to take place on WM Renewable Iris Glen Landfill (Ticket #183044502).

B. November 5, 2018 –

- a. Notifications were made to appropriate stakeholders, including WM Renewable Energy Landfill, EDI (Dennis Bollinger & Mike Grunden), Energy Systems Group, Mountain Home Energy Center, and the city of Johnson City, of the intent to purge the pipeline, venting gas at the landfill.
- b. Jason Brangers, Daniel Jefferson, and Jace Morris, USDI - On-site at MHEC, met with Louie Greenwell and Billy Taylor to review purge plan, discuss schedule for the purge, and confirm location of skillet installation. Closed furthestmost downstream valves at MHEC and confirmed the remaining valves were open.
- c. Jason Brangers, Daniel Jefferson, and Jace Morris, USDI – On-site at Iris Glen Landfill and EDI facility. Relief valve just upstream of the odorizer was removed and discharge stack was reconnected. Spool piece upstream of regulators was removed to physically separate the pipeline from the source of supply; three (3) blind flanges were installed to seal the ends.
- d. Odorizer was decommissioned and removed. Area was backfilled and leveled.
- e. Jace Morris, USDI - picked up nitrogen skid from AirGas and traltered to plant site at Iris Glen Landfill/EDI facility.

C. November 6, 2018 –

- a. Nitrogen skid was transported from landfill to the MHEC site.
- b. Jason Brangers and Jace Morris, USDI – Confirmed status of valves at MHEC regulator station.
- c. Daniel Jefferson, USDI – Confirmed status of valves, CGI was on, calibrated, and ready. Opened the purge stack valve at Iris Glen Landfill/EDI facility and monitored gas levels throughout the purge process.
- d. Jason Brangers and Jace Morris, USDI – Nitrogen skid was connected to the piping at MHEC and approximately 3,600 cf of nitrogen was injected into the pipeline.
- e. Jason Brangers and Jace Morris, USDI – started compressor to begin purging the pipeline.
- f. Daniel Jefferson, USDI – monitored the purge discharge at the landfill. The purge of the pipeline, which was monitored with a Sensit Gold G2 Combustible Gas Indicator (CGI), continued for thirty (30) minutes after a sustained reading of 0% gas in air was achieved at the purge discharge point.
- g. Jason Brangers and Jace Morris, USDI – Shutoff the compressor and closed any open valves at the MHEC station. Skillet was installed between the flanges where the 6" pipe comes aboveground at the MHEC station.
- h. Daniel Jefferson, USDI – confirmed 0% gas in air in pipeline at landfill, removed 2" valve and purge stack, and installed blind flange.

**F. COMMENTS**

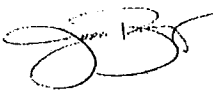
The project activities, including the odorizer removal, purge, spool removal, and installation of the blind flanges and skillet, were performed on November 5-6, 2018. Personnel participating in and/or witnessing part and/or all of the project included the following:

- Utility Safety and Design, Inc. (USDI)
  - Jason Brangers
  - Daniel Jefferson
  - Jace Morris
- Energy Systems Group (ESG)
  - Billy Taylor
  - Louie Greenwell
- Energy Developments (EDI)
  - Mike Grunden (on-site at landfill)

A spool piece was removed from the piping at the landfill to physically separate the pipeline from the source of supply. Blind flanges were installed to seal the ends. A slug of nitrogen (approximately 3,600 cf) was injected into the pipeline at the MHEC facility prior to beginning the purge. The purge was conducted utilizing a compressor that was connected to the pipeline at the MHEC facility. Following the nitrogen injection, the compressor was utilized to move the gas and nitrogen through the pipeline to the discharge stack at the landfill. A Sensit Gold G2 was utilized to continuously monitor the gas content throughout the purge and until a sustained reading of 0% gas-in-air was achieved. At the conclusion of the purging operation, valves at MHEC were closed. A blind flange was installed on the 2" flange at the landfill previously used as part of the discharge stack. A skillet was installed on the 6" piping at MHEC to seal the end. Pictures and additional documentation can be found in the Appendices to this report. This completed the purging, isolation, and abandonment of the ESG 6" pipeline.

Technicians: Jason Brangers, Daniel Jefferson, Jace Morris, USDI

Technician Signature: \_\_\_\_\_

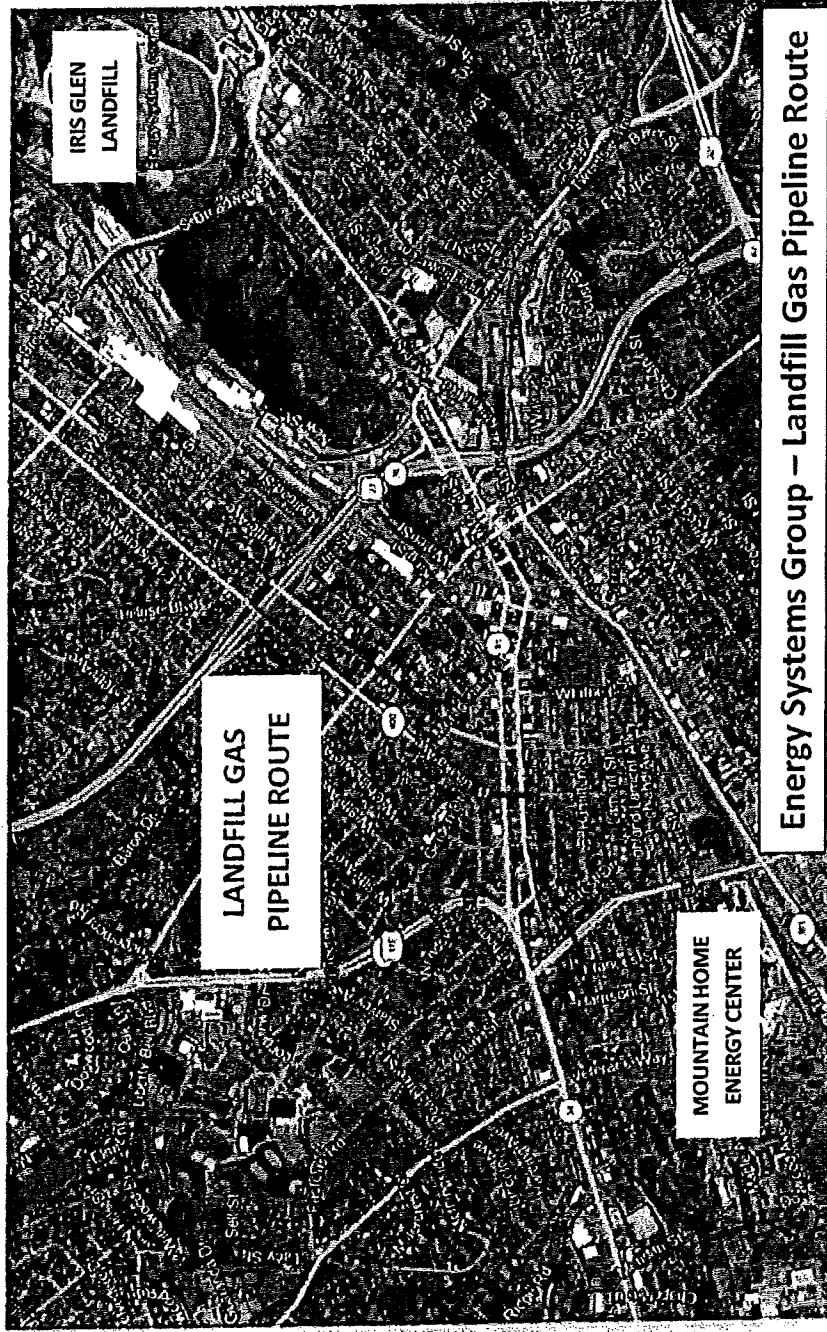


Digitally signed by Jason Brangers  
DN: cn=Jason Brangers, o=USDI,  
ou=KY-Operations  
email=jason@usdl.us, c=US  
Date: 2018.11.14 23:36:13 -05'00'

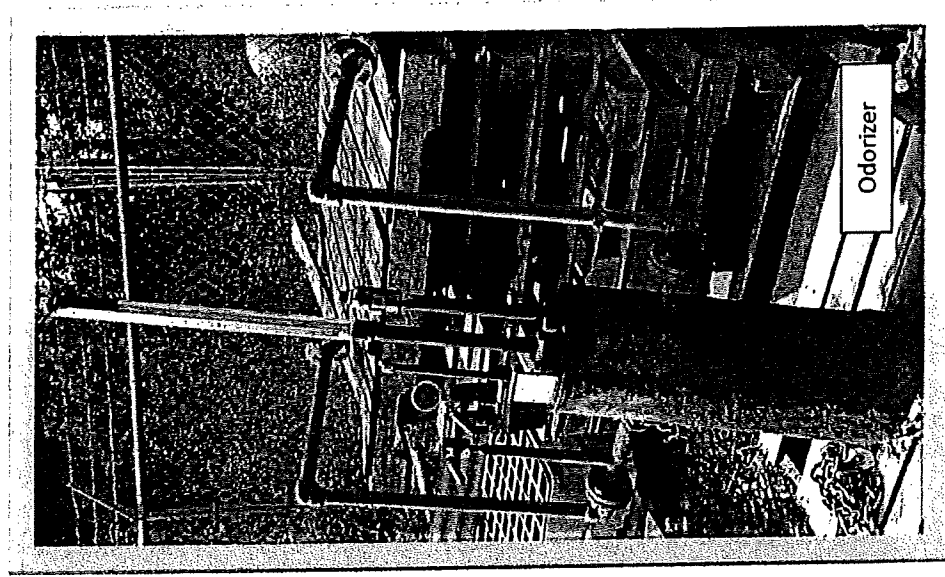
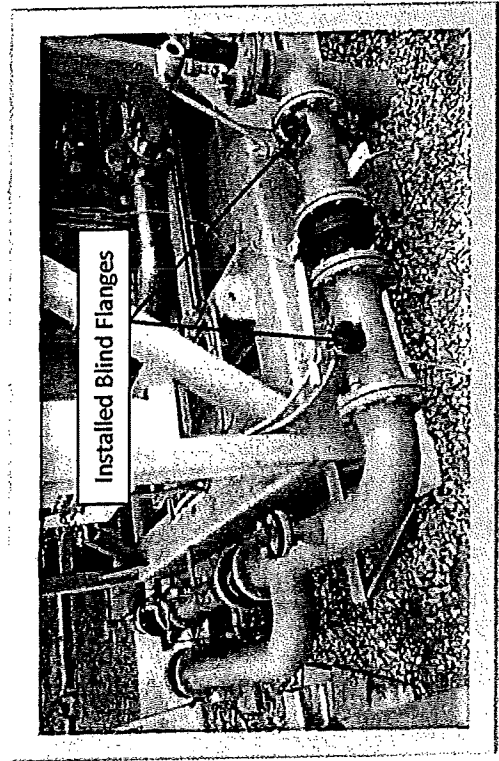
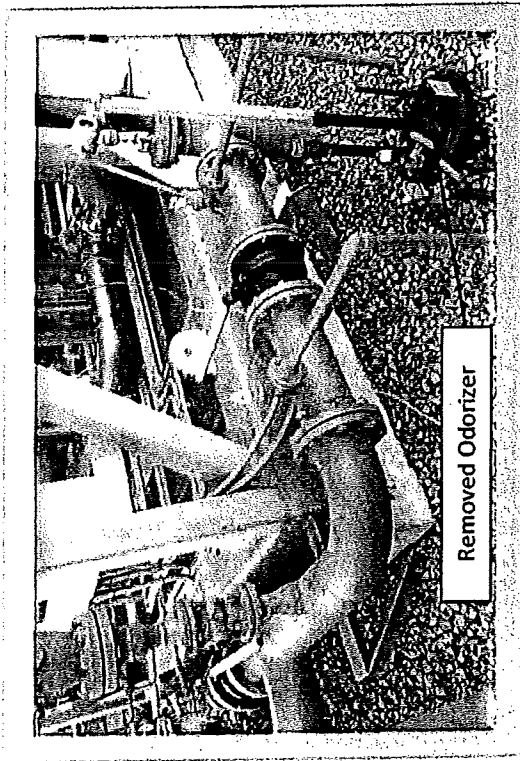
Date: November 13, 2018

## II. PIPELINE MAP & PROJECT PICTURES

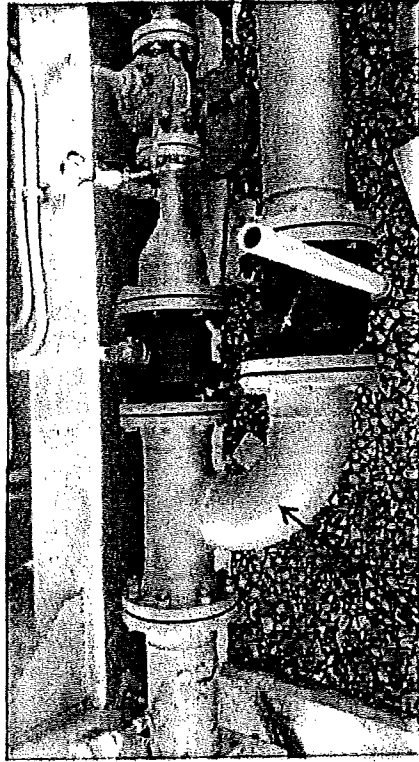
### A. PIPELINE MAP



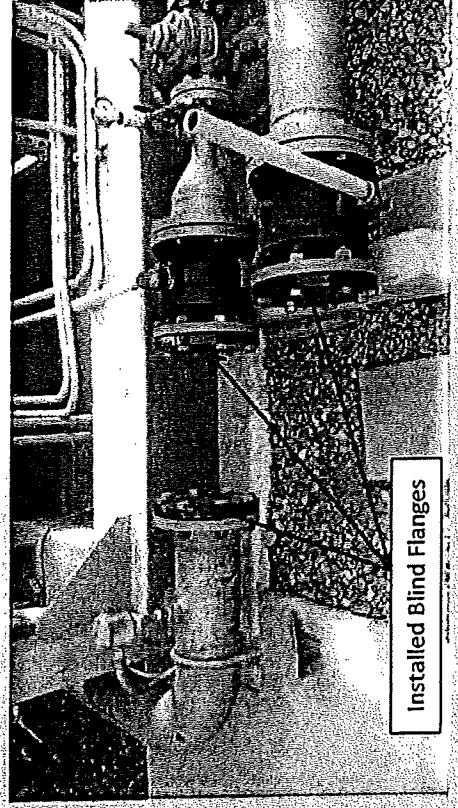
**B. PICTURES – EDI FACILITY: ODORIZER REMOVAL**



C. PICTURES - EDI FACILITY: SPOOL REMOVAL

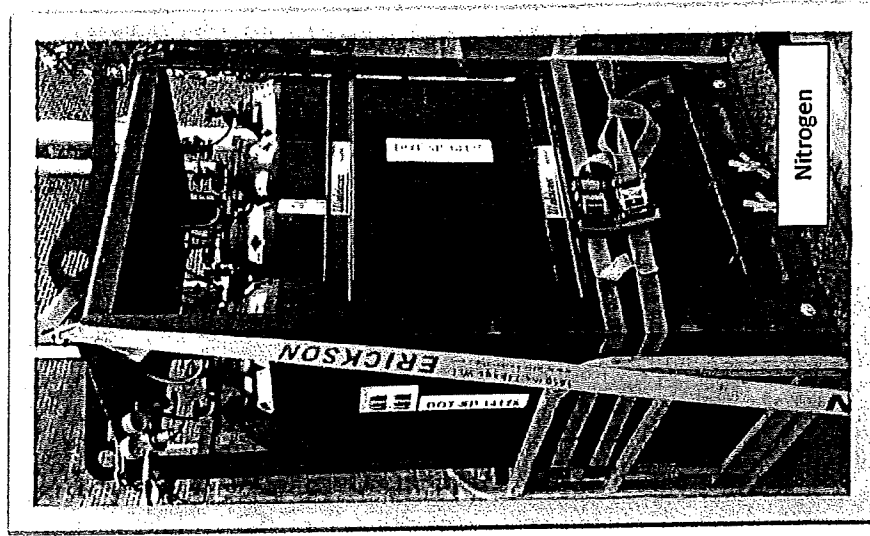


Removed Spool Piece



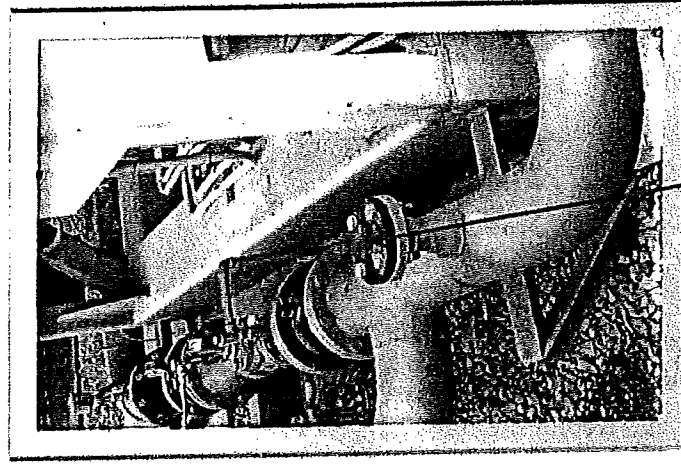
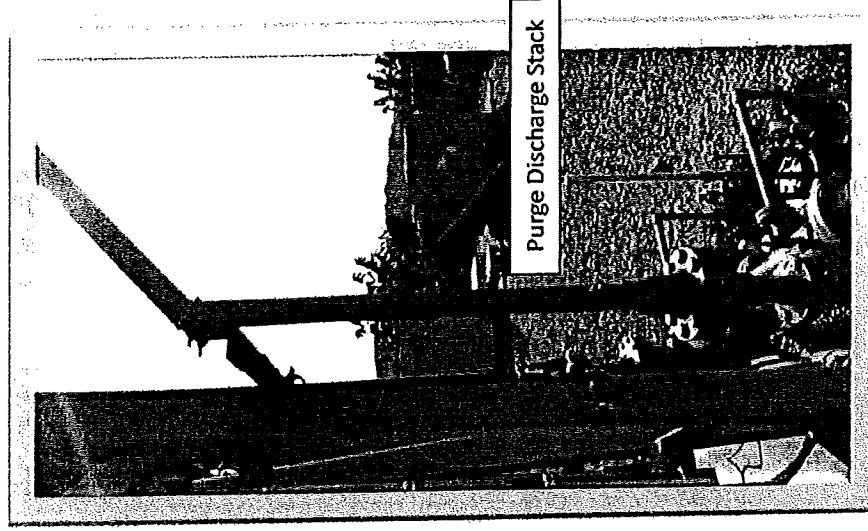
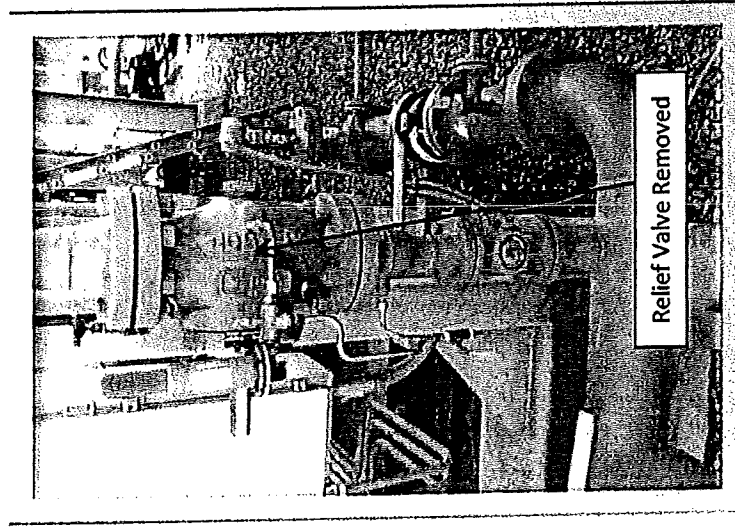
Installed Blind Flanges

D. PICTURES – MHEC: NITROGEN SKID AND COMPRESSOR



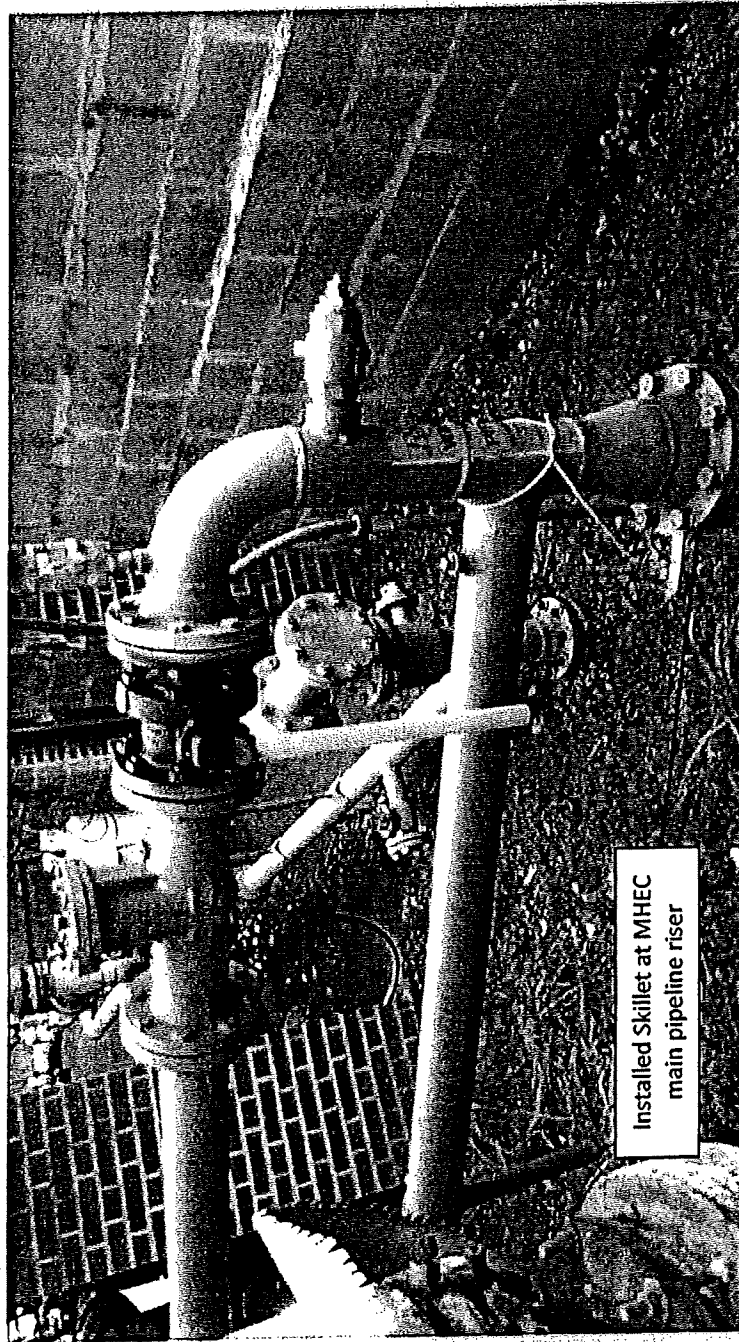


E. PICTURES – EDI FACILITY: RELIEF VALVE AND DISCHARGE STACK

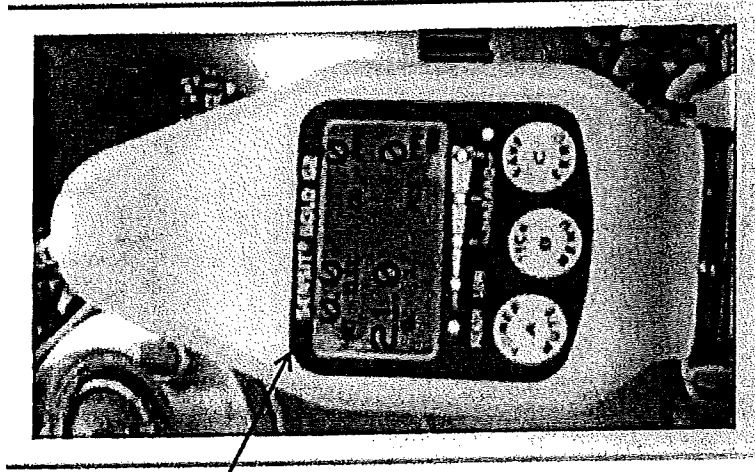
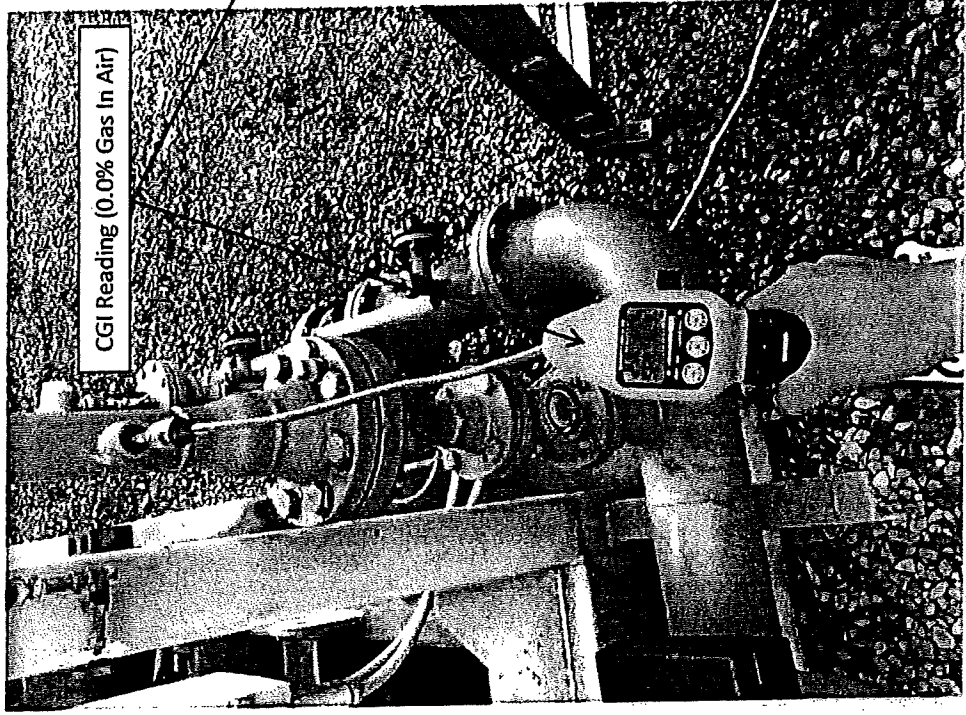


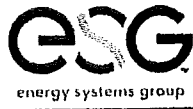
Blind Flange Installed  
after completion of  
purge and removal of  
stack and valve

F. PICTURES – MHEC: SKILLET INSTALLATION (MHEC RISER)



G. PICTURES - EDI FACILITY: COMBUSTIBLE GAS INDICATOR READINGS AT END OF PURGE





### **III. APPENDIX A – MAIN RETIREMENT RECORD**

# Main or Service Line Retirement Record-1401

City/Company:

Energy Systems Group (ESG)

Date of Retirement:

11/06/2018

Service ID #:

MECH & Iris Glen Landfill Pipeline

Location/Address:

Iris Glen Landfill @ 1705 E. Main Street to MHEC @ 4th Street and Maple Ave., Johnson City, TN 37604

## Pipe Information

Steel/Plastic:

HDPE

Pipe Size:

6"

Length of Pipe:

4 miles

Year Installed:

## Materials Used

6" blind flanges (spool piece removed)	3 qty
1" blind flanges (odorizer)	2 qty
2" blind flange (discharge stack)	1 qty

Was the line purged? ☒ Yes ☐ No

Was the line plugged or capped? ☒ Yes ☐ No

How were the ends sealed?:

6" blind flanges (landfill), 6" skillet (MHEC)

Description of Work Done:

ESG landfill gas pipeline was purged of gas. Spool piece at the landfill was removed, three (3) blind flanges installed to isolate/separate the pipeline from the EDI facility. 6" skillet was installed at the main pipeline riser at MHEC to seal the end.

Other Information:

See purge report for further information and pictures.

Work Completed by:

Jason Brangers, Jace Morris, and Daniel Jefferson

Signature: Jason Brangers, USD

Date: 11/13/2018



#### IV. APPENDIX B – OPERATOR QUALIFICATION (OQ) RECORDS

Operator Qualification Covered Task Worksheet				Employee Name:	Jason Burgen		Employee ID #:
				Company Name:	USOI - Kentucky, KY		
Number	Task Group	Covered Task	Training Requirements	Test Score	Date of Test	Field Evaluation	Date Recertification
1	Reporting and Recordkeeping	O&M, Emergency Plan, OQ Plan, Public Awareness, and Procedure Review NOTE: This Task is a Pre-Requisite For All Others	ASME - X00 ASME - OX001  Review O&M, Emergency Plan, OQ Plan, Public Awareness, and Procedure Review	100% 100%	09/2017 09/2017	#1 - Review of Company Operations, Maintenance, Emergency Plan, OQ Plan	2/15/2017 3 Years
2	Corrosion Control	Cathodic Protection System Installation and Maintenance	ASME - 0041 ASME - 0051	100% 100%	2/15/2017 1/16/2017	#2 - Cathodic Protection System Installation and Maintenance	2/15/2017 3 Years
3	Corrosion Control	Install Cathodic Protection Electrical Isolation Device	ASME - 0041	100%	1/16/2017	#3 - Install Cathodic Protection Electrical Isolation Device	2/16/2017 3 Years
4	Corrosion Control	Cathodic Protection System Monitoring	ASME - 0031 ASME - 0061, if Bond Extra ASME - 0071	100% 90% 100%	1/16/2017 09/2017 2/15/2017	#4 - Cathodic Protection System Monitoring	2/16/2017 3 Years
5	Corrosion Control	Rectifier Monitoring and Maintenance	ASME - 0111 System Specific Action	80%	09/2017	#5 - Rectifier Monitoring	2/16/2017 3 Years
6	Corrosion Control	Pipe-to-Soil Potentials	ASME - 0001	100%	09/2017	#6 - Pipe-to-Soil Potentials	2/16/2017 3 Years
7	Corrosion Control	Inspecting for External and Internal Corrosion	ASME - 0131, if Coupon ASME - 0181 ASME - 0181 ASME - 0171 ASME - 0181	100% 100% 100% 100% 100%	2/16/2017 09/2017 2/16/2017 2/16/2017 2/16/2017	#7 - Inspecting for External and Internal Corrosion	2/16/2017 3 Years
8	Corrosion Control	Cathodic Protection System Troubleshooting	ASME - 0001  Tools and Procedures	93%	1/16/2017	#8 - Cathodic Protection System Troubleshooting	2/16/2017 3 Years
9	Corrosion Control	Atmospheric Corrosion Control and Monitoring	ASME - 0141 ASME - 0191	100% 100%	09/2017 1/16/2017	#9 - Atmospheric Corrosion Control and Monitoring	2/15/2017 3 Years
10	Valves	Valve Operation	ASME - 0301	100%	09/2017	#10 - Valve Operation	2/16/2017 3 Years
11	Valves	Valve Inspection and Maintenance	ASME - 0311 ASME - 0331 ASME - 0331 ASME - 0341 ASME - 0351, if Pneumatic ASME - 1181 System Specific Valves Tools and Procedures	87% 93% 100% 100% 100% 100%	09/2017 09/2017 09/2017 09/2017 09/2017 2/16/2017	#11 - Valve Inspection and Maintenance	2/16/2017 3 Years
12	Regulating Device	Regulator Station/Overpressure Protection Inspection and Requirements	ASME - 0361 ASME - 0361 ASME - 0411 ASME - 0421 System Specific Regulators, Relief Procedures	100% 100% 100% 100%	2/16/2017 2/16/2017 2/16/2017 2/16/2017	#12 - Regulator Station/Overpressure Protection Inspection and Requirements	2/16/2017 3 Years
13	Pipeline Repair	Measure and Characterize Mechanical Damage on Installed Pipe and Components	ASME - 0711  Tools and Procedures	100%	2/16/2017	#13 - Measure and Characterize Mechanical Damage on Installed Pipe and Components	2/16/2017 3 Years
14	Pipeline Repair	Joining of Pipe - Threaded and Flanged Connections	ASME - 0721 ASME - 0731	100% 100%	2/16/2017 2/16/2017	#14 - Joining Pipe - Threaded and Flanged Connections	2/16/2017 3 Years
15	Pipeline Repair	Coating Application	ASME - 0901 ASME - 1011	100% 93%	2/16/2017 2/16/2017	#15 - Coating Application	2/15/2017 3 Years
16	Pipeline Repair	Install Mechanical Clevises or Sleeves - Bolted	ASME - 1041	87%	2/16/2017	#16 - Install Mechanical Clevises or Sleeves - Bolted	2/16/2017 3 Years
17	Pipeline Repair	Plastic Pipe Squares Off	ASME - 1141 Tools and Procedures	85%	09/2017	#17 - Plastic Pipe Squares Off	2/16/2017 3 Years
18	Obstruction	Obstruction Testing	ASME - 1211 Tools and Procedures	100%	09/2017	#18 - Obstruction Testing	2/16/2017 3 Years
19	Obstruction	Obstruction Monitoring, Maintenance, and Flaring	ASME - 1221 System Specific Obstruction	100%	09/2017	#19 - Obstruction Monitoring, Maintenance, and Flaring	2/16/2017 3 Years
20	Pipeline Installation	Visually Inspect Pipe and Components Prior to Installation	ASME - 0641	87%	09/2017	#20 - Visually Inspect Pipe and Components Prior to Installation	2/16/2017 3 Years
21	Pipeline Installation	Excavation and Backfilling	ASME - 0661	93%	09/2017	#21 - Excavation and Backfilling	2/16/2017 3 Years
22	Leak Investigation	Inside Leak Investigation	ASME - 1201 Tools and Procedures	100%	09/2017	#22 - Inside Leak Investigation	2/15/2017 3 Years
23	Leak Investigation	Outside Leak Investigation	ASME - 1211 Tools and Procedures	95%	09/2017	#23 - Outside Leak Investigation	2/15/2017 3 Years
24	Leak Investigation	Leak Survey	ASME - 1261 Tools and Procedures	100%	09/2017	#24 - Leak Survey/Operating in FL, P&ID, or R&LD Unit	2/15/2017 3 Years
25	Damage Prevention	One-Call Response/Locating Facilities	ASME - 1281 Tools and Procedures	100%	09/2017	#25 - One-Call Response/Locating Facilities	2/16/2017 3 Years
26	Damage Prevention	Pipeline Markers and Maintenance	ASME - 1301	100%	09/2017	#26 - Pipeline Marker and Maintenance	2/15/2017 3 Years
27	Damage Prevention	Pipeline Patrol	ASME - 1311	93%	09/2017	#27 - Pipeline Patrol	2/15/2017 3 Years
28	Damage Prevention	Damage Prevention Inspection During Third Party Excavation	ASME - 1321 ASME - 1341	93% 93%	09/2017 09/2017	#28 - Damage Prevention Inspection During Third Party Excavation	2/16/2017 3 Years
29	Purging and Pipeline Attendance	Purging	ASME - 1851	95%	09/2017	#29 - Purging	2/16/2017 3 Years
30	Purging and Pipeline Attendance	Gas Detection Equipment Calibration and Maintenance	Manufacturer Calibration and Maintenance Procedures Tools and Procedures			#30 - Gas Detection Equipment Maintenance	2/15/2017 3 Years





Operator Qualification Covered Task Worksheet			Employee Name: Daniel Jefferson	Employee ID #:		
			Company Name: USDI - Shelbyville, KY			
Number	Task Group	Covered Task	MEA	Training Requirements		Date Evaluated
				Test Score	Date of Test	Field Evaluation
1	Reporting and Recordkeeping	O&M, Emergency Plan, OQ Plan, Public Awareness, and Procedure Review. NOTE: This Task is a Pre-Requirement  For all Others	ASME - ADC ASME - GAS01  Review O&M, Emergency Plan, OQ Plan, Public Awareness, and Procedure Review	60% 100%	2/3/2018 1/31/2018	#1 - Review of Company Operations, Maintenance, Emergency Plan, OQ Plan
2	Corrosion Control	Cathodic Protection System Installation and Maintenance	ASME - 0041 ASME - 0051	100% 100%	2/13/2017 2/14/2017	#2 - Cathodic Protection System Installation and Maintenance
3	Corrosion Control	Install Cathodic Protection Electrical Isolation Devices	ASME - 0081	100%	2/14/2017	#3 - Install Cathodic Protection Electrical Isolation Devices
4	Corrosion Control	Cathodic Protection System Monitoring	ASME - 0031 ASME - 0061, # Bond EDUs ASME - 0071	100% 91% 100%	2/2/2018 2/2/2018 2/3/2018	#4 - Cathodic Protection System Monitoring
5	Corrosion Control	Rectifier Monitoring and Maintenance	ASME - 0111 ASME - 0101 System Specific Rectifiers	100%	2/3/2018	#5 - Rectifier Monitoring
6	Corrosion Control	Pipe-To-Soil Potentials	ASME - 0001	100%	2/1/2016	#6 - Pipe-to-Soil Potentials
7	Corrosion Control	Inspecting for External and Internal Corrosion	ASME - 0131, # Coupon ASME - 0151 ASME - 0161 ASME - 0171 ASME - 0181	- 100% - - -	- 1/27/2017 - - -	#7 - Inspecting for External and Internal Corrosion
10	Corrosion Control	Atmospheric Corrosion Control and Monitoring	ASME - 0141 ASME - 0101	100% 100%	2/2/2018 2/2/2018	#10 - Atmospheric Corrosion Control and Monitoring
11	Valves	Valve Operation	ASME - 0301	81%	2/2/2018	#11 - Valve Operation
12	Valves	Valve Inspection and Maintenance	ASME - 0311 ASME - 0321 ASME - 0331 ASME - 0341 ASME - 0351, # Pneumatic ASME - 1191 System Specific Valves Tools and Procedures	100% 100% 100% 100% 100% 91%	2/2/2018 2/3/2018 2/3/2018 2/8/2018 1/3/2017 2/8/2018	#12 - Valve Inspection and Maintenance
13	Regulating Devices	Regulator Station/Overpressure Protection Inspection and Requirements	ASME - 0381 ASME - 0391 ASME - 0411 ASME - 0421 System Specific Regulators, Relief Procedures	95% 95% 100% 100%	10/13/2016 10/27/2016 10/27/2016 10/27/2016	#13 - Regulator Station/Overpressure Protection Inspection and Requirements
17	Pipeline Repair	Joining of Pipe - Threaded and Flanged Connections	ASME - 0721 ASME - 0731	100% 100%	10/28/2018 1/10/2017	#17 - Joining Pipe - Threaded and Flanged Connections
18	Pipeline Repair	Coating Application	ASME - 0901 ASME - 1011	100% 100%	10/28/2018 10/28/2018	#18 - Coating Application
19	Pipeline Repair	Install Mechanical Clamps or Sleeves - Bolted	ASME - 1041	100%	1/10/2017	#19 - Install Mechanical Clamps or Sleeves - Bolted
24	Odorization	Odorization Testing	ASME - 1211 Tools and Procedures	100%	2/1/2016	#24 - Odorization Testing
25	Odorization	Odorizer Monitoring, Maintenance, and Flaring	ASME - 1221 System Specific Odorizer	91%	3/2/2018	#25 - Odorizer Monitoring, Maintenance, and Flaring
34	Leak Investigation	Outside Leak Investigation	ASME - 1241 Tools and Procedures	100%	2/28/2018	#34 - Outside Leak Investigation
35	Leak Investigation	Leak Survey	ASME - 1261 Tools and Procedures	93%	2/1/2016	#35 - Leak Survey/Operating on FI, PWD, or RHLD Unit
36	Damage Prevention	One-Call Response/Locating Facilities	ASME - 1291 Tools and Procedures	95%	3/2/2018	#36 - One-Call Response/Locating Facilities
37	Damage Prevention	Pipeline Markers and Maintenance	ASME - 1301	100%	3/1/2018	#37 - Pipeline Marker and Maintenance
38	Damage Prevention	Pipeline Patrol	ASME - 1311	90%	2/1/2018	#38 - Pipeline Patrol
39	Damage Prevention	Damage Prevention Inspection During Third Party Excavation	ASME - 1331 ASME - 1341	100% 80%	3/2/2018 3/2/2018	#39 - Damage Prevention Inspection During Third Party Excavation
40	Purging and Pipeline Abandonment	Purging	ASME - 1651	85%	1/13/2017	#40 - Purging

## DOT-PHMSA Operator Registry Notification

**Greg Luff**

---

**From:** PHMSAPORTAL@dot.gov  
**Sent:** Thursday, November 8, 2018 10:12 AM  
**To:** Greg Luff  
**Subject:** ALERT Operator Notification Submission

You have received this email indicating that an Operator Notification has been submitted by an Operator reporting facilities and/or pipelines under your jurisdiction. The following items briefly describe the attached Operator Notification:

Operator Name: ESG PIPELINE (JC), LLC  
PHMSA OPID: 32298  
Notification Type: B  
Notification #: 21290  
Date Submitted: 2018-11-08 11:12:09.0

If you have questions or concerns regarding this Notification Submission, please send an email to [InformationResourcesManager@dot.gov](mailto:InformationResourcesManager@dot.gov) or call 202.366.8075 for immediate assistance.



# Operator

## Submission Information

Thank you for your submission! PHMSA will review your request and notify you via email shortly.

Your notification request number is listed below.  
Notification : 21290


To view a PDF version of your submitted application, please click [here](#).

[Submit Another Notification](#)

[Close Browser](#)

Notice: This report is required by 49 CFR Parts 191 and 195. Failure to report may result in a civil penalty not to exceed \$100,000 for each violation for each day the violation continues up to a maximum of \$1,000,000 as provided in 49 USC 60122.

Form Approved 5-2015  
OMB No. 2137-0627  
Expiration Date: 7/31/2020

	<b>U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration</b>	<b>OPERATOR REGISTRY NOTIFICATION</b>	<b>DOT USE ONLY B-20181108-21290</b>
<p>A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2137-0627. Public reporting for this collection of information is estimated to be approximately 15 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, PHMSA, Office of Pipeline Safety (PHP-30) 1200 New Jersey Avenue, SE, Washington, D.C. 20590.</p>			
<b>STEP 1 – ENTER BASIC NOTIFICATION INFORMATION</b>			
<ol style="list-style-type: none"> <li>1. Operator's PHMSA-issued Operator Identification Number (OPID): <b>32298</b></li> <li>2. Current name of Operator assigned to this OPID for this Operator Registry Notification: <b>ESG PIPELINE (JC) LLC</b></li> <li>3. Operator Headquarters address: <b>9877 EASTGATE COURT.</b>  <div style="margin-left: 40px;">City: <b>NEWBURGH</b>    State: <b>IN</b>    Zip Code: <b>47630</b></div> </li> <li>4. Date of this Operator Registry Notification: <b>11</b>    <b>08</b>    <b>18</b>  <div style="margin-left: 40px;">Month    Day    Year</div> </li> <li>5. Name of Operator contact for this Operator Registry Notification:  <div style="margin-left: 40px;">Last: <b>Luff</b> First: <b>Greg</b> MI:</div> </li> <li>6. Phone number and Email address of Operator contact for this Operator Registry Notification: <b>(812)492-3707 gluff@esg.email</b></li> <li>7. Select the type of pipelines and/or facilities involved in this Operator Registry Notification: <i>(select all that apply)</i> <div style="margin-left: 20px;"> <input type="checkbox"/> LNG Plant or Facility  <input type="checkbox"/> Gas Distribution  <input checked="" type="checkbox"/> Gas Transmission  <input type="checkbox"/> Gas Gathering  <input type="checkbox"/> Hazardous Liquid </div> </li> <li>8. Select Interstate and/or Intrastate, and then the states where the pipelines and/or facilities involved in this Operator Registry Notification are located:  <div style="margin-left: 20px;"> <input type="checkbox"/> Interstate :    -  <input type="checkbox"/> Intrastate : </div> </li> </ol>			
<b>STEP 2 – SELECT TYPE OF NOTIFICATION</b>			

Notice: This report is required by 49 CFR Parts 191 and 195. Failure to report may result in a civil penalty not to exceed \$100,000 for each violation for each day the violation continues up to a maximum of \$1,000,000 as provided in 49 USC 60122.

Form Approved 5-2015  
OMB No. 2137-0627  
Expiration Date: 7/31/2020

<input checked="" type="checkbox"/> <b>TYPE B – CHANGE IDENTITY OPERATING</b>	
1. Is This Notification for:	<input type="checkbox"/> Assuming Operatorship <input checked="" type="checkbox"/> Ceasing Operatorship
1a. If an assuming operatorship, list OPID Number of previous Operator, if one has been assigned:	<input type="checkbox"/> Not assigned
Previous Operator name:	
1b. If a ceasing operatorship, list OPID Number of new Operator, if one has been assigned:	<input checked="" type="checkbox"/> Not assigned
New Operator name:	
<input checked="" type="checkbox"/> I would like to deactivate my OPID Number	
2. Reason for this change :	<u>Abandonment of all pipelines as of November 6, 2018.</u>
3. Indicate the effective date for this change:	<u>11</u> <u>06</u> <u>18</u> Month Day Year
<b>STEP 3 – ENTER SUPPLEMENTAL INFORMATION FOR PIPELINES AND PIPELINE FACILITIES</b>	<i>If TYPE B, D or F, complete STEP 3.</i>

1. The pipelines and/or facilities included in this Operator Registry Notification are associated with the following types of facilities and transport the following types of commodities: *(select all that apply)*

- ☐ Gas Distribution
  - ☐ Line Pipe
    - ☐ Natural Gas
    - ☐ Propane Gas
    - ☐ Landfill Gas
    - ☐ Synthetic Gas
    - ☐ Hydrogen Gas
    - ☐ Other Gas --> Name:
  - ☐ Facilities
- ☒ Gas Transmission
  - ☒ Line Pipe
    - ☐ Natural Gas
    - ☐ Propane Gas
    - ☐ Synthetic Gas
    - ☐ Hydrogen Gas
    - ☒ Landfill Gas
    - ☐ Other Gas --> Name:
  - ☐ Facilities
- ☐ Gas Gathering
  - ☐ Line Pipe
  - ☐ Facilities
- ☐ Hazardous Liquid
  - ☐ Transmission Line Pipe
    - ☐ Crude Oil
    - ☐ Refined and/or Petroleum Product (non-HVL)
    - ☐ HVL or Anhydrous Ammonia
      - ☐ Anhydrous Ammonia
      - ☐ LPG (Liquefied Petroleum Gas) / NGL (Natural Gas Liquid)
      - ☐ Other HVL --> Name:
    - ☐ CO2 (Carbon Dioxide)
    - ☐ Biofuel / Alternative Fuel (including ethanol blends, but excluding Fuel Grade Ethanol)
    - ☐ Fuel Grade Ethanol (also referred to as Neat Ethanol)
  - ☐ Regulated Hazardous Liquid Gathering
  - ☐ Facilities

*[STEP 3 continued]*

2. Will any single pipeline or pipeline facility included in this Operator Registry Notification be subject to BOTH 49 CFR Part 192 AND 49 CFR Part 195 due to the planned transportation of commodities which are subject to both Parts?

☐ No ☐ Yes

The series of questions under this STEP 3, Question 3 should be completed for each of the following facility types as selected in STEP 3, Question 1: Gas Distribution, Gas Gathering, Gas Transmission and Hazardous Liquid.

Notice: This report is required by 49 CFR Parts 191 and 195. Failure to report may result in a civil penalty not to exceed \$100,000 for each violation for each day the violation continues up to a maximum of \$1,000,000 as provided in 49 USC 60122.

Form Approved 5-2015  
OMB No. 2137-0627  
Expiration Date: 7/31/2020

3. For Gas Transmission, the pipelines and/or facilities covered by this Operator Registry Notification are: *(Select Interstate and/or Intrastate, and complete the remaining Questions for each set of Interstate assets and/or Intrastate assets and for each selection of Gas Transmission and/or Hazardous Liquid facilities, depending on which facility type was selected in STEP 3, Question 1.*

*NOTE: This series of questions should be completed separately for each of the following facility types selected: Gas Transmission and Hazardous Liquid. In other words, if the Notification covers Gas Transmission as well as Hazardous Liquid facilities, then this series of questions will need to be completed two separate times – once for each of these two facility types.*

- ☒ Intrastate  
☒ Onshore

3a. Approximate number of regulated pipeline miles : 0 miles

3c. List all of the States and Counties in which the Onshore pipelines and/or facilities which were acquired or constructed are physically located :

Pipelines:

State 1: <u>IN</u>	Miles: <u>3.83</u>
Counties : <u>WASHINGTON</u>	

Facility:

4. Provide a brief and general description of the pipelines and/or facilities covered by this Operator Registry Notification:

*In addition to the information provided below, Operators are encouraged to provide a general overview map (or maps) depicting the approximate geographic location of the pipelines and/or facilities covered by this Operator Registry Notification.*

Gas Transmission Comment:

This pipeline operated by ESG PIPELINE (JC), LLC is a 6 inch diameter, plastic transmission pipeline that connects the Iris Glen landfill with the Mountain Home Energy Center. Attached is the pipeline route.

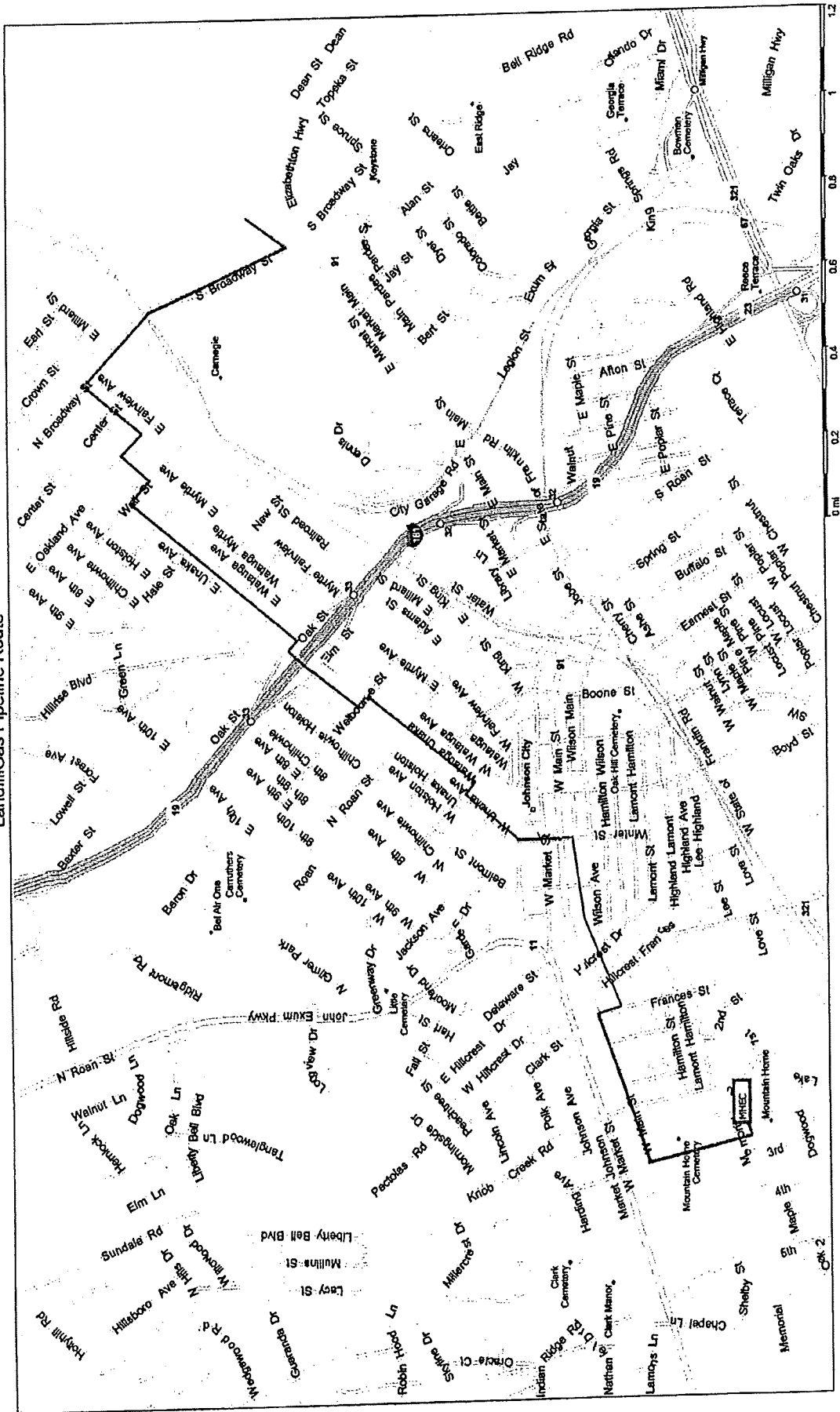


Notice: This report is required by 49 CFR Parts 191 and 195. Failure to report may result in a civil penalty not to exceed \$100,000 for each violation for each day the violation continues up to a maximum of \$1,000,000 as provided in 49 USC 60122.

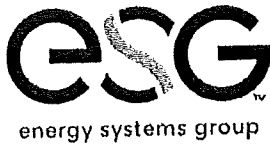
Form Approved 5-2015  
OMB No. 2137-0627  
Expiration Date: 7/31/2020

<b>ATTACHMENTS</b>
<u>Corrected Pipeline Route.pdf</u>

Landfill Gas Pipeline Route



# Tennessee 811 Notification



November 8, 2018

Sent via email to: [kathy.quartermaine@tennessee811.com](mailto:kathy.quartermaine@tennessee811.com) on 11/8/2018

Tennessee 811  
Attn: Kathy Quartermaine, Damage Prevention Liaison  
1850 Elm Hill Pike  
Nashville TN 37210

Dear Ms. Quartermaine:

This letter is our formal notification regarding the abandonment and decommissioning of our pipeline listed under the Operator Name: ESG Pipeline (JC), LLC and PHMSA OPID: 32298.

Our pipeline was abandoned and decommissioned per §192.727 *Abandonment or Deactivation of Facilities* and purged per §192.629 *Purging of Pipelines* effective **Tuesday, November 6, 2018.**

As of **Tuesday, November 6, 2018** ESG no longer operates a pipeline within the state of Tennessee.

Let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Luff', is written over a light blue horizontal line.

Greg Luff  
Manager, Environmental, Health & Safety  
Energy Systems Group

**EXHIBIT D**

**First Amendment to Agreement and Easements**

See attached.

## **FIRST AMENDMENT TO AGREEMENT AND EASEMENTS**

This First Amendment to Agreement and Easements (this "**Amendment**") is entered into as of October 30, 2018 by and among ESG PIPELINE (JC), LLC, an Indiana limited liability company (the "**Pipeline Company**"), the CITY OF JOHNSON CITY, TENNESSEE, a municipal corporation organized and existing under the laws of the State of Tennessee (the "**City**"), and BIO ENERGY (TENNESSEE II), LLC (having Indiana business ID 2005040700414 and previously named "ESG BIOFUELS (JC), LLC"), an Indiana limited liability company ("**ESG (JC)**"). The Pipeline Company, the City, and ESG (JC) are each sometimes referred to in this Agreement as a "**Party**" and collectively, as the "**Parties**".

### **BACKGROUND STATEMENT**

Whereas, the Parties entered into an Agreement and Easements (the "**Agreement**") dated as of December 15, 2016, which recognized a change of ownership in ESG (JC) and granted certain easements as set forth therein to the Pipeline Company (capitalized terms in this Amendment not defined herein shall have the same meaning as they have in the Agreement); and

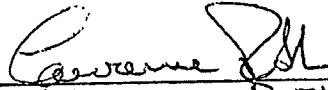
Whereas, the Pipeline Company has advised the City that it is no longer economical to operate the Pipeline and the Parties have agreed to cancel the Pipeline Easement on the terms and conditions set forth in this Amendment;

1. The Parties hereby confirm that they have agreed to terminate the easements set forth in Section 1.2 of the Agreement (collectively, the "**Easements**") on the terms and conditions set forth herein.
2. The Pipeline Company agrees that it will be responsible for deactivating the Pipeline in accordance the federal pipeline safety rules and will pay the costs associated with such deactivation.
3. The Easements shall terminate on the date that the Pipeline Company advises the other Parties that the deactivation has been completed by furnishing them an executed copy of the Confirmation of Termination of Easement attached hereto as Exhibit A. Thereafter the Pipeline Company shall have no further interest in the Pipeline.

[Signatures on the following pages]

In witness whereof, the Pipeline Company and the City has duly executed this Agreement to be effective as of the date first above written.


**ESG PIPELINE (JC), LLC,**  
an Indiana limited liability company

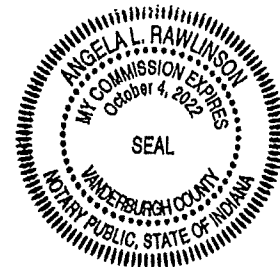
By:   
Name: Lawrence Roth  
Title: Sr Vice President

STATE OF Indiana )  
COUNTY OF Warrick )

On this 30<sup>th</sup> day of October, 2018, before me Angela L. Rawlinson the undersigned notary public, personally appeared Lawrence E. Roth, the SVP of ESG Pipeline (JC), LLC, an Indiana limited liability company, who acknowledged the foregoing instrument to be the free act and deed of ESG Pipeline (JC), LLC.

In witness whereof I hereunto set my hand and official seal.

  
Notary Public  
My Commission Expires: October 4, 2022



In witness whereof, the Pipeline Company and the City has duly executed this Agreement to be effective as of the date first above written.

**CITY OF JOHNSON CITY, TENNESSEE,**  
a municipal corporation organized and  
existing under the laws of the State of  
Tennessee

By: [Signature]  
Name: David L. Tomata  
Title: Mayor

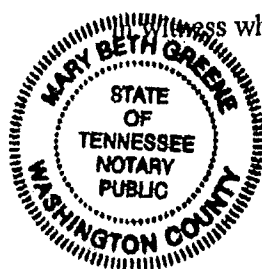
ATTEST:  
[Signature]

APPROVED AS TO FORM:

By: \_\_\_\_\_  
City Attorney

STATE OF Tennessee )  
COUNTY OF Washington )

On this 30<sup>th</sup> day of October, 2018, before me Mary Beth Greene, the undersigned notary public, personally appeared David Tomata, the Mayor of the City of Johnson City, Tennessee, a municipal corporation organized and existing under the laws of the State of Tennessee, who acknowledged the foregoing instrument to be the free act and deed of Johnson City, Tennessee.



In witness whereof I hereunto set my hand and official seal.

Mary Beth Greene  
Notary Public  
My Commission Expires: April 1, 2020



In witness whereof, each Party has duly executed this Agreement to be effective as of the date first above written.

BIO ENERGY (TENNESSEE II), LLC  
(previously named "ESG BIOFUELS (JC), LLC"),  
an Indiana limited liability company

By: Jim M. Grant

Name: Jim Grant

Title: North America CEO

STATE OF Michigan )

COUNTY OF Eaton )

On this 2nd day of November, 2018, before me Diane M. Waldo, the undersigned notary public, personally appeared Jim Grant, the NA CEO of BIO ENERGY (TENNESSEE II), LLC (previously named "ESG Biofuels (JC), LLC"), an Indiana limited liability company, who acknowledged the foregoing instrument to be the free act and deed of BIO ENERGY (TENNESSEE II), LLC.

In witness whereof I hereunto set my hand and official seal.

Diane M. Waldo  
Notary Public

My Commission Expires: 11-11-2024

**DIANE M. WALDO**  
**NOTARY PUBLIC - STATE OF MICHIGAN**  
**COUNTY OF EATON**  
**My Commission Expires 11/11/2024**  
**Acting in the County of Eaton**

**EXHIBIT A**

**Confirmation of Termination of Easement**

The undersigned ESG PIPELINE (JC), LLC, an Indiana limited liability company, hereby confirms that it has completed the decommissioning of Pipeline as defined in that Agreement and Easements dated as of December 15, 2016, by and among ESG PIPELINE (JC), LLC, an Indiana limited liability company (the "**Pipeline Company**"), the CITY OF JOHNSON CITY, TENNESSEE, a municipal corporation organized and existing under the laws of the State of Tennessee (the "**City**"), and BIO ENERGY (TENNESSEE II), LLC (previously named "ESG Biofuels (JC), LLC"), an Indiana limited liability company, and the Easement as defined in the Agreement has terminated.

Dated this 15<sup>th</sup> day of November, 2018.

In witness whereof, the Pipeline Company and the City has duly executed this Agreement to be effective as of the date first above written.

**ESG PIPELINE (JC), LLC,**  
an Indiana limited liability company

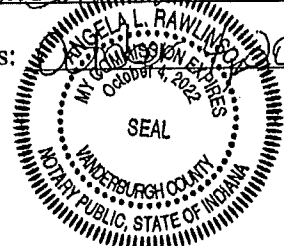
By: Lawrence Roth  
Name: Lawrence Roth  
Title: Sr Vice President

STATE OF Indiana )  
COUNTY OF Warrick )

On this 15<sup>th</sup> day of November, 2018, before me Angela L. Rawlinson, the undersigned notary public, personally appeared Lawrence E. Roth, the SVP of ESG Pipeline (JC), LLC, an Indiana limited liability company, who acknowledged the foregoing instrument to be the free act and deed of ESG Pipeline (JC), LLC.

In witness whereof I hereunto set my hand and official seal.

Angela L. Rawlinson  
Notary Public  
My Commission Expires: October 4, 2022



**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of November, 2017, a copy of the foregoing document was served on the parties of record, via regular U.S. Mail, postage prepaid, addressed as follows:

Dennis Bollinger  
VP, Assets & Regulatory Affairs  
P.O. Box 15217  
Lansing, Michigan 48901

City Attorney  
City of Johnson City, Tennessee  
601 East Main Street  
Johnson City, Tennessee 37601

  
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HENRY WALKER