

C R O W L E Y F L E C K P L L P

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May 7, 2010

PUBLIC SERVICE COMMISSION

Hand Delivered

Mr. Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Avenue
Dept. 408
Bismarck, ND 58505-0480

In re: Hess Corporation
Tioga Gas Plant Preliminary Activity
Certification of No Effect on Exclusion/Avoidance Areas

Dear Mr. Nitschke:

Hess Corporation ("Hess") owns and operates the Tioga Gas Plant (the "Plant") located one (1) mile east of Tioga, ND. As the Commission is aware, Hess is currently preparing an application for a Certificate of Site Compatibility for a planned expansion of its Plant. Hess intends to undertake certain activities at its Plant that are required preparatory steps for Hess prior to beginning any construction of the expansion of the Plant. This work entails preparing to move the location of its existing gas flare stack. These activities will be conducted wholly within the geographic location on which the plant is currently located.

Pursuant to Section 43-02-03(3)(a)(3) of the North Dakota Century Code, Hess certifies that this preparatory work will not affect any known exclusion or avoidance area. The attached report prepared by Merjent, Inc., Hess' environmental consultant, summarizes the environmental review that Hess completed to reach this conclusion. Hess further certifies that it will comply with applicable conditions and protections in siting laws in the conduct of completing this work.

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PU-10-155 Filed: 5/7/2010 Pages: 5
Certification Letter - Tioga Gas Processing Plant expansion

BILLINGS BISMARCK BOZEMAN HELENA KALISPELL

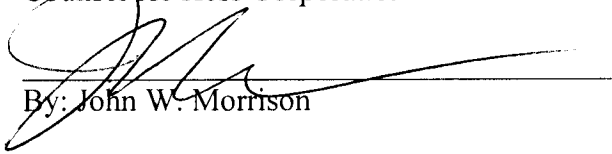
Hess Corporation

John Morrison, Attny. Crowley Fleck

Mr. Darrell Nitschke
Tioga Gas Plant
May 7, 2010
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If you have any questions or need any additional information, please contact the undersigned at your earliest convenience.

Sincerely,
Crowley Fleck PLLP
Counsel for Hess Corporation



By: John W. Morrison

Enclosure: Merjent Environmental Certification Report

cc: Rory Nelson, Hess Corporation (via email)
Scott Wright, Hess Corporation



615 First Avenue NE ■ Suite 425 ■ Minneapolis, Minnesota ■ 55413

Hess Corporation - Tioga Gas Processing Plant Flare Stack Relocation Preparatory Work Environmental Summary Report

Introduction: Hess Corporation (Hess) is proposing to expand its Tioga Gas Processing Plant (Plant) in Williams County, North Dakota. Merjent, Inc. (Merjent) is an environmental consulting company retained by Hess to collect environmental information for Hess' use in preparing a Public Service Commission (PSC) application for a Certificate of Site Compatibility for the expansion project.

As a preparatory step to beginning the Plant expansion work, Hess plans to complete certain construction activities to facilitate moving its existing gas flare stack, once construction on the expansion work begins. This work would involve excavating and / or abandonment of buried piping and installing new piping which will allow Hess to move the gas flare quickly, with a minimum of service interruption time, once the new flare location is prepared as a part of the expansion work.

Qualifications of Preparer: William Regan of Merjent is a Senior Environmental Analyst who has prepared this environmental summary report to document the existing conditions and environmental resources relative to the flare construction activities. Mr. Regan obtained a B.S., Biology, from the University of Minnesota - Twin Cities, and has 30 years experience as an environmental analyst, of which for the last 21 years he has provided environmental project management expertise on natural gas and petroleum pipeline construction projects. Mr. Regan specializes in preparing environmental assessment reports for energy projects regulated by state PSCs and the Federal Energy Regulatory Commission. Mr. Regan has recent experience with the North Dakota PSC environmental requirements through his work on three projects within the last two years preparing applications for a Certificate of Corridor Compatibility and Route Permit.

Project description: The flare stack preparation work would be completely contained within the existing property boundaries of the existing Plant operations. The location of the Plant and the specific area where the flare work would be conducted are shown on the attached USGS topographic map and aerial photographic map. The land surface where the flare work would occur is in a developed condition, covered with gravel (evidenced in the aerial photograph).

Exclusion and Avoidance Criteria: As part of the environmental assessment work that Hess is completing to support its Certificate application for the Plant expansion work, Hess completed desk top analyses, resource agency consultations, and conducted natural and cultural resource field studies at the Plant. Hess collected information needed to evaluate each natural resource feature specified in the North Dakota Administrative Code, Chapter 69-06-08-01, Energy Conversion Facility Siting Criteria. Sub-items 1 and 2 of this Chapter lists sensitive geographic areas referred to as Exclusion and Avoidance Areas, respectively, requiring specific evaluation.

SWCA Environmental Consultants (SWCA) completed natural and cultural resource field surveys of the existing Plant property plus the adjacent expansion area. SWCA ecologists and archaeologists documented that the footprint area of the existing Plant, where the flare preparatory work would be completed, has been previously leveled and graveled, and is devoid of any natural and cultural resource features.

Hess also conducted resource agency consultations with the following six agencies: the U.S. Department of Interior Fish and Wildlife Service, and Natural Resource Conservation Service; and the North Dakota Game and Fish Department, Parks and Recreation Department, State Historic Preservation Office, and State Lands Department. All of these agencies responded that no known resources occur at the Plant.

Certification: I, William J. Regan, certify that I have prepared this environmental summary report, and that the flare preparatory work described above will not affect any exclusion or avoidance area.



Merjent, Inc.
Environmental Consultant to Hess Corporation

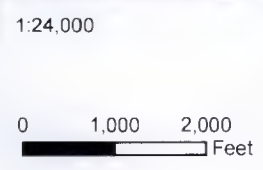
William J. Regan 5-6-10
By: William J. Regan Date:

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This information is for environmental review purposes only.

-  Flare Stack Work Area
-  Existing Tioga Gas Plant



Tioga Gas Plant
Project Location Map
Flare Stack Preparation Work
Williams County, North Dakota





Revised: 5/05/10 

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This information is for environmental review purposes only



-  Flare Stack Work Area
-  Existing Tioga Gas Plant

1:4,800

0 200 400 Feet



Tioga Gas Plant
Aerial Photographic Map
Flare Stack Preparation Work
Williams County, North Dakota



Revised 5/05/10 