

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**  
**600 E Boulevard Ave Dept 408**  
**Bismarck ND 58505-0480**

**Environmental Materials Inc.**  
**Variance Permit**  
**Application**

**Case No. WM-13-162**

**TEMPORARY VARIANCE PERMIT**  
***Expires: Midnight on October 31, 2013***

**PLAN OF COMPLIANCE**  
***Due: Close of Business on May 31, 2013***

**Issued To:**

Environmental Materials Inc.  
373 102x Avenue SW  
Killdeer, ND 58640

**Scale Location:**

Environmental Materials Inc.  
373 102x Avenue SW  
Killdeer, ND 58640

**Scale Information:**

Avery Weigh-Tronix BridgeMont Truck Scale, 10' x 70', 120,000 lb., Serial Number 8745

**Request To:**

Operate a truck scale that deviates from North Dakota Weights and Measures rules as follows:

- 1) Less clearance (7") than required (12") between the "I" beam and the slab.
- 2) Approaches:
  - a. Less level concrete (10') than required (12') for the portion of each approach adjacent to the scale.

**Temporary Variance Permit Conditions:**

- The scale must be retested and adjusted once every three months by a registered service company to maintain acceptance tolerance;
- The three-month registered service company test report must be submitted to the Commission within seven working days of the test date and a copy retained by Environmental Materials Inc.;
- The service company test reports must include both the “as found” and “as left” readings;
- The scale must be operated according to all applicable North Dakota Laws and Rules; and
- The enclosed variance permit must be posted near the designated scale in a place conspicuous to the public.

***Plan of Compliance:***

No later than **close of business on May 31, 2013**, Environmental Materials Inc. shall submit for Commission approval a plan to bring the truck scale into compliance with North Dakota laws and rules with respect to:

- approaches to the scale.

If you have any further questions, or require additional information, please feel free to contact me at (701) 328-4077.

Dated April 10, 2013



Patrick Fahn, Director  
Compliance and Competitive Markets Division

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This temporary variance permit allows the above referenced truck scale to be operated with the following deviations from North Dakota Weights and Measures rules:

- 1) Less clearance (7") than required (12") between the "I" beam and the slab.
- 2) Approaches:
  - a. Less level concrete (10') than required (12') for the portion of each approach adjacent to the scale.

This temporary variance permit must be posted near the scale in a place conspicuous to the public and is dependent upon Environmental Materials Inc. adhering to the conditions presented to them under separate cover.

Dated April 10, 2013



Patrick Fahn, Director  
Compliance and Competitive Markets Division