

Bauske, Shelly A.

From: Bauske, Shelly A.
Sent: Friday, January 26, 2018 9:48 AM
To: Crockford, Konrad S.
Subject: FW: EMI Scale Variances
Attachments: March 27, 2013.pdf; Scale Inspections Rocky Mountain Scale Works.pdf; Scale piers.pdf; Variance Permit Extension.pdf; WG-59203.pdf; Camara Variance 1.22.18.pdf; Scale Variance 1.22.18.pdf

Hi Konrad

I'll work on drafting the variances next week, but thought you could take a look at the attached requests first to see what your thoughts are. This email includes Wayne's notes pertaining to his inspection.

Wayne's email:

A special inspection requested by the PSC on Environmental Materials Inc. of Killdeer (7022) to determine that a temporary variance concerning clearance and approach conditions not meeting requirements was performed on 11/28/17 to determine if a permanent one should be granted. The scale passed the inspection and no reason was found to not make the variance permanent.

Additionally, it was discovered that the view of the entire scale platform was very limited from the location of operation. This would normally require cameras that monitor the areas of the scale that are not visible for viewing truck position (allowing for the truck to be off the scale). The first 20 feet of the south side of the deck is visible from a window at the point of operation. **The operator (Cory) explained that all of the trucks weighed on the scale are owned by them and the lengths do not allow for the truck to be off the scale with the front tires positioned properly where they can be observed.** I believe they can be granted a variance to operate using their trucks under the conditions described.

Some background: The law only refers to a camera required if the deck is greater than 200 feet from the operation point. Since this addresses the limited view concern it has been applied when there is no view. A wall with no window even if the scale is only feet from the other side of the wall for instance. However, if it's convenient to stick your head out and observe the truck that would come into consideration. Basically observation issues under the 200-foot law has been left to the inspector's discretion. I would suggest addressing this in a change of law. For now, it would seem there's a lot of lee-way to deal with this.

Examples of a limited view not requiring cameras:

If a pitless scale, where it's not possible to be off on the sides, and the length is greater than any normal truck length say 100 or 110 feet, (without a permit) including a trailer and the position of the front or back can observed which means the truck can't be off the scale.

If there are fool-proof(?) photo beam/eye detectors that cover any side that a truck could be off. This has been brought up already for the over 200-foot situation.

-----Original Message-----

From: Jon Peek [<mailto:jpeek@emi-ash.com>]
Sent: Tuesday, January 23, 2018 12:36 PM
To: Bauske, Shelly A.
Subject: EMI Scale Variances

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Inspection Summary

Public Service Commission

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Shelly,

I have attached two letters and appropriate documentation for scale variances.

Please let me know what additional information you may need to approve these scale variances.

Thank you and have a blessed day.

Jon Peek
General Manager

WARREN TRANSPORT INC. dba ENVIRONMENTAL MATERIALS a Weave Company
2348 N. FRONTAGE RD.
BILLINGS, MT 59101
P.O BOX 22745
BILLINGS, MT 59104
www.emi-ash.com

O: 701-572-5007 | M: 406-690-8833 | F: 406-245-3232 | Email: jpeek@emi-ash.com The Weave Way: Driven by honesty and personal accountability, we are committed to a culture of safety, teamwork, superior financial and operating results, and the growth of every team member. We strive to exceed the expectations of our customers and co-workers.

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