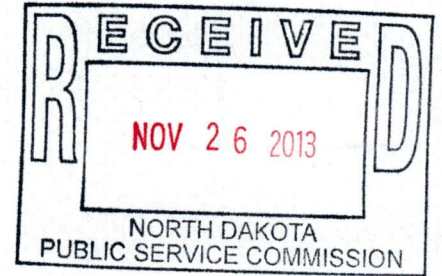




DAKOTA PRAIRIE REFINING, LLC

PO Box 5601  
Bismarck, ND 58506-5601  
www.DPRefining.com

November 25, 2013



Executive Secretary  
North Dakota Public Service Commission  
State Capitol  
600 East Boulevard Avenue  
Bismarck, ND 58505

Re: Dakota Prairie Refining, LLC  
2-6" Petroleum Product Pipelines-Stark County  
Siting Application  
Case No. PU-13-799

Enclosed for filing are the original and ten copies of the following additional documents in support of the application by Dakota Prairie Refining, LLC and Lario Shipping, LLC for a waiver of procedures and timelines for a certificate of corridor compatibility and an energy transmission route permit in the above-referenced proceeding:

Road Crossing Permit  
Stormwater Pollution Prevention Plan (SWPPP)

The additional documents, along with an updated index and tabs can be added to the binders of supporting information that were filed on November 18, 2013.

The information contained on the CD is the same as the enclosed documents.

Sincerely,

Karl A. Liepitz  
Assistant Secretary

Enclosures

13 **PU-13-799** Filed: 11/26/2013 Pages: 10  
Additional supporting documentation for Application

Dakota Prairie Refining, LLC

Karl Liepitz

# PERMITS T.O.C.

11/25/2013

| <b>TAB</b> | <b>PERMIT NAME</b>  | <b>ISSUING PARTY</b>   |
|------------|---|------------------------|
| A          | Air Pollution Control Permit to Construct                         | NDDH                   |
| B          | Stormwater Pollution Prevention Plan (SWPPP)                      | NDDH                   |
| C          | SWPPP Signed NOI  | DPR / MDU              |
| D          | Spill Prevention Control and Countermeasure (SPCC)                | Barr Engineering       |
| E          | Authorization to Construct a Bridge Across Heart River            | Army Corps of Eng.     |
| F          | 404 Permit Submittal - New Vehicular Bridge and Stormwater Outlet | Stark County           |
| G          | Letter of Consent to Install an Access Road/Vehicular Bridge      | Bureau of Reclamation  |
| H          | NWP 39  | Army Corps of Eng.     |
| I          | Sovereign Land Permit   | State of North Dakota  |
| J          | Floodplain Development Permit                                     | Stark County           |
| K          | Preliminary Jurisdictional Determination Form                     | Army Corps of Eng.     |
| L          | Class I and Class III Cultural Resource Inventory                 | Barr Eng/SWCA Environ. |
| M          | Road Crossing Permit  | Stark County           |
| N          | Stormwater Pollution Prevention Plan (SWPP)                       | NDDH                   |

**APPLICATION AND PERMIT  
STARK COUNTY  
ROAD CROSSING/RIGHT-OF-WAY ENCROACHMENT/PIPELINE/UTILITY PERMIT**

DAKOTA PRAIRIE REFINING, LLC 3815 116TH AVE SOUTHWEST, DICKINSON, ND  
(Name and address of applicant) 58601

hereinafter called the Applicant, is hereby granted permission to install and maintain the following described facilities on, across, or adjacent to county right-of-way, as shown on the plans attached hereto and made a part hereof: (describe type of facilities to be located on county right-of-way, give legal description of location of said facilities, and attach map or plans)

- PLEASE REFER TO ATTACHED -

**INSTALLATION AND MAINTENANCE:** Installation and maintenance of said facilities on county right-of-way shall be subject to the following terms and conditions:

1. Upon construction, maintenance, relocation, or removal of said facilities, any right-of-way scars shall be removed and the disturbed areas restored to original condition, including the re-seeding thereof where necessary. Trenches dug within county right-of-way shall be backfilled and compacted to density equal to that of the adjacent undisturbed soil.
2. Installation, maintenance, relocation, and removal of said facilities on county right-of-way shall be completed in a manner satisfactory to, and subject to supervision by, the County Road Superintendent and/or County Commissioners.
3. Stark County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the right-of-way.
4. Applicant shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on County right-of-way.
5. Applicant shall repair or replace highway structures and appurtenances, and any existing facilities located on, over, or under county right-of-way, which may be damaged as a result of the installation and maintenance of said facilities on County right-of-way.

Page 1 of 3

6. Applicant agrees to comply with all County road restrictions and load limit restrictions. Contact the County Road Superintendent for information.
7. Applicant shall promptly remove said facilities from county right-of-way, or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by the County to accommodate any road construction or re-construction.
8. Applicant agrees that buried road crossings on all County Major Collector (CMC) Roads, all paved roads, and any other road crossing designated at the time of application and noted hereon, shall be bored or jacked under the roadway. Plans for boring or jacking at each crossing shall be submitted to the County Road Superintendent for approval prior to construction.
9. Applicant agrees to provide to the County Global Positioning System data on the location of said facilities upon completion, collected by the following process: Data collection must be completed with a Global Positioning System (GPS) receiver capable of sub-meter data collection. Location data collected by GPS must be corrected, either through the use of post processing (differential correction from a reliable base) or real-time differential correction. Data must be collected in the NAD83 coordinate system, with locations (points) collected in geographic (latitude, longitude) coordinates. These coordinates must be in decimal degrees (not degrees, minutes, seconds) calculated to 6 decimal places.
10. Applicant agrees to provide the above requested GPS data to Stark County within 120 days of approval of permit or Stark County will collect the data and charge the cost to the company receiving the permit. If an extension of time is needed, applicant must get specific written permission from the Board of County Commissioners.
11. All buried utilities including pipelines, power lines, telephone lines and water lines must be set back a minimum of 100 feet from the centerline of all sections lines and county roads unless perpendicular to said road or section line, or as approved by the Board of County Commissioners. All pipelines must be set back 200 feet from water bodies or unoccupied buildings, or as approved by the Board of County Commissioners.
12. Maps (see additional requirements below) shall be CAD generated drawings based on field survey, showing ties to section corners, section lines, and other features as deemed necessary by the County. Hand drawn maps or sketches are not acceptable.

**ADDITIONAL REQUIREMENTS:** The following information must be included with the application before a permit will be approved and issued:

1. A map indicating the route, and county roads or right of ways intended for use by Applicant, and location of gas plants, compressor stations, substations, or other

facilities, if any;

2. Name and address of the contractor, including their ND contractor license number;
3. Name of contractor bonding company and bond or insurance number;
4. Copies of all easements or letters of consent obtained from adjacent private landowners;
5. Proposed commencement date DECEMBER 15, 2013 and completion date JANUARY 14, 2014;
6. Size of line or facility (diameter, kV, etc.): 2 PIPELINES; 1-6" DIAMETER & 8" DIAMETER AS SHOWN IN THE ATTACHED
7. For pipelines, indicate the length of pipeline within Stark County. In addition, please indicate if the pipeline will extend beyond Stark County.
8. This application shall be accompanied by a \$250.00 fee for pipelines and \$100.00 for crossing permits.

The Stark County Road Superintendent will review this application and will either approve it as submitted or require a public hearing before the Stark County Planning and Zoning Commission. Commission approval is only to the extent the County has legal rights to and does not affect obligations of the Applicant to any other landowner or holders of legal rights.

Applicant  
Signature



Title VICE PRESIDENT

Approved by the Road Superintendent, Stark County, Dickinson, North Dakota this

80 day of NOV, 2013

Stark County



Stark County Road Superintendent

Attest:



Stark County Auditor

**Pipeline basic road crossing at 116<sup>th</sup> Ave south of BNSF Railroad in Stark County  
North Dakota**

DPR is located on the west side of 116<sup>th</sup> Ave. and will be refining two products with plans to be distributed these two products to Bakken Oil Express (BOE) on the East side of 116<sup>th</sup> Ave. Atmospheric Tanks Bottoms (ATB) and Naphtha are the two products to be pumped to BOE. Naphtha will be supplied in a 6" carbon steel pipe and ATB will be supplied in an 8" carbon steel pipe with 4" of heat conservation insulation and heat trace on the ATB pipe. Plans are to cross 116<sup>th</sup> Ave under the road in pipe casings/sleeves. To install the sleeves a boring will be done under the road and the casing pipe will be pulled from one side to the other. This casing pipe will be large enough for the process pipe to be pulled in at a later date. Once the process pipe is installed it will be hydrostatic tested prior to placing in service. This is the basic plan on how the two products are to be transported from DPR to BOE on the east side of 116<sup>th</sup> AVE.



July 13, 2012

North Dakota Pollutant Discharge Elimination System (NDPDES)  
General Permit for Stormwater Discharges from Construction Activity  
NOTICE OF COVERAGE

Permittee(s)

Owner Contact: Gerald OShaughnessy  
Bakken Oil Express LLC  
8301 E. 21st St. N  
Suite 420  
Wichita, KS 67206

Operator Contact: C. J. Whisler  
Strobel Starostka Construction LLC  
106 S. Green St  
PO Box 187  
Clarks, NE 68628

Coverage under the 2009 reissued construction general permit (NDR10-0000) is identified as follows:

Permit ID: **NDR104798**      Site Name: **BOE West Loops / BOE SOUTH PROJECT.**

Please remember to update the Stormwater Pollution Prevention (SWPP) plan as appropriate for site conditions. The best management practices (BMPs) and temporary structures must be inspected, maintained and adjusted until the site is stabilized following construction activities. Once the site is stabilized as outlined in the general permit, you may end permit coverage by filing a termination notice. Cities or counties may impose additional requirements and/or specific BMPs for construction affecting their storm drainage system. Please check with the local officials to be sure all local stormwater management considerations are addressed.

Additional Information

The permit conditions, forms and related information may be found on our web site at:

[www.ndhealth.gov/wq/Storm/Construction/ConstructionHome.htm](http://www.ndhealth.gov/wq/Storm/Construction/ConstructionHome.htm)

Should you have any questions on the permit, please contact a stormwater staff person listed below.

Lucille Snowden  
Division of Water Quality  
701.328.5239  
[lsnowden@nd.gov](mailto:lsnowden@nd.gov)





