

Fahn, Patrick J.

From: Kuntz, Dan <Dan.Kuntz@MDUResources.com>
Sent: Tuesday, December 31, 2013 9:14 AM
To: Fahn, Patrick J.; 'Jeff Rust' (jeff.rust@westconindustries.com)
(jeff.rust@westconindustries.com); Jim Weathers (weathers.jw@gmail.com)
Cc: Stumpf, John
Subject: Minutes
Attachments: Minutes of the Meeting 12-30-2013.docx

Attached are the minutes prepared by Barb from yesterday's conference call. Let me know if there are any necessary revisions.

Dan

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From: Mazigian, Barb
Sent: Tuesday, December 31, 2013 9:12 AM
To: Kuntz, Dan
Subject: Minutes

Minutes attached.

37 **PU-13-799** Filed: 12/31/2013 Pages: 3
Minutes from Dec. 30, 2013 conference call

Minutes of the Meeting
North Dakota Public Service Commission
and the Dakota Prairie Refining Project via Conference Call
December 30, 2013
2:00 p.m.

Attendees:

Patrick Fahn, Director-Compliance and Competitive Markets, Public Service Commission. E-mail address: pfahn@nd.gov

Jeffrey Rust, Bilfinger Westcon, Inc., Project Director for Dakota Prairie Refining Project, P.O. Box 1735, Bismarck, North Dakota 58502. Office telephone number 701-456-9102 or mobile number 701-471-1227. E-mail address: jeff.rust@westconindustries.com

Jim Weathers, Bakken Oil Express, a subsidiary of Lario Shipping. Director of Operations for Dakota Prairie Refining Project. Mobile number 316-708-4449. E-mail address: jweathers@bakkenoilexpress.com

Daniel Kuntz, Associate General Counsel, MDU Resources Group, Inc., P.O. Box 5650, Bismarck, ND 58506-5650 for Dakota Prairie Refining. Office telephone number 701-530-1016. E-mail address: dan.kuntz@mduresources.com

Participants on the call introduced themselves and their role in the above-mentioned project. Barb Mazigian of MDU Resources Group, Inc. took the minutes.

Patrick Fahn asked if everyone received the documents (Certifications, draft order and penalty provisions) that he sent to them this morning. Everyone received the documents.

Dan Kuntz asked if Patrick received the revised CAD documents from Kestrel. Patrick received the documents and forwarded them to Matt Fischer.

Patrick Fahn proceeded to go over the Certification Relating to Order Provisions – Transmission Facility Siting, Case No. PU-13-799 relating to the Dakota Prairie Refining, LLC, Two Petroleum Product Pipelines – Stark County Siting Application.

Patrick Fahn mentioned whenever he says company he is referring to both Lario Shipping, LLC and Dakota Prairie Refining, LLC. He asked Dan Kuntz if he knows of any licenses or permits that have not been obtained and filed with the PSC?

Dan Kuntz said the permit for crossing of 116th Avenue Southwest has been obtained and filed but the final design for the crossing is being developed and then submitted to the County Superintendent of Roads for approval. The approved design will be filed with the North Dakota Public Service Commission (ND PSC).

Patrick Fahn asked when the project will start construction?

Jeffrey Rust said, as soon as possible. The intent is to start this week.

Patrick Fahn asked that an e-mail be sent to the Commission at ndpsc@nd.gov and to copy him on the e-mail when the construction begins. He asked how long will the project take?

Jeffrey Rust indicated April of next year.

Patrick Fahn continued reviewing the Certification Relating to Order Provisions. A weekly progress report must be submitted to the ND PSC leaving a 1.3 inch margin on the bottom of the first page. The reports should be sent to the ndpsc@nd.gov site with a copy to Patrick and the Construction Inspector.

Dan Kuntz questioned number 6 in the Certification Relating to Order Provisions regarding the depth of pipe if placed in a box culvert for crossing of 116th Avenue Southwest. Patrick Fahn clarified that pipes within the culvert would not be considered a buried pipeline and the 48 inch cover requirement would not apply. He asked if the pipe will be protected by the culvert and Jeffrey Rust said yes.

Patrick Fahn wanted to make sure we are clear on number 15. Dan said the primary area of topsoil removal would be in the road ditches for construction of the box culvert for the road crossing. Dan asked what the plan is for the pipe support area – seed or gravel? Jeffrey Rust said the Companies will likely be controlling vegetation under the transport rack with seeding adjacent to the pipe racks, but under the area under the racks gravel.

Patrick Fahn asked who the contact individuals are when neighboring landowners have complaints? The contact individuals will be Jeffrey Rust, mobile number 701-471-1227 and John Stumpf, mobile number 701-400-6347.

Patrick Fahn indicated the ND PSC and IT individuals are working through number 30 regarding ESRI GSI mapping software. Patrick summarized the rest of the Certification Relating Order Provisions.

Dan Kuntz asked about the replacement of trees and shrubs along the Heart River for protected bridge crossing and Patrick said assuming they will not be in the same location then Dakota Prairie Refining should file a plan for the location of the trees and shrubs for the ND PSC to review.

A discussion was held regarding number 22 in the Findings of Fact, Conclusions of Law, and Order regarding emergency response program. Dan Kuntz indicated an RFP has been issued for preparation of an emergency response plan for the refinery. Patrick asked if this will be done when Dakota Prairie Refining goes into production and Dan indicated it will be.

Dan Kuntz asked about an inspector and Patrick indicated he will get the name and contact information to us. The inspector will be there during and after construction.

The conference call ended at 2:40 p.m.