

**Bauske, Shelly A.**

---

**From:** Bauske, Shelly A.  
**Sent:** Tuesday, September 06, 2016 10:48 AM  
**To:** 'Gallion, Joshua C.'  
**Subject:** FW: Scale Variance Permit

Hi Josh

I don't see an email responding to Brian's question below.

Thank you.

---

**From:** Bauske, Shelly A.  
**Sent:** Wednesday, April 06, 2016 2:37 PM  
**To:** Gallion, Joshua C.  
**Subject:** FW: Scale Variance Permit

**From:** Brian Merkel [<mailto:brianjmerkel@gmail.com>]  
**Sent:** Thursday, March 31, 2016 4:33 PM  
**To:** Bauske, Shelly A.  
**Subject:** Scale Variance Permit

Good Afternoon Shelly

Thank you for the phone call earlier today pertaining to the expiration of our temporary variance permit for our scale located in Minot. This email is to let you know that we are currently not using the scale commercially or otherwise. The last day of use was on 3/30/2015. The lack of use is due to the downturn of fracing activity in the Bakken oilfield.

We do however still have sand stored on site and available for when a higher level of fracing resumes. In knowing the oilfield, it's safe to assume that when that happens it will be with little advance notification. We do plan to continue using the scale at some point, understanding that the scale does need to be certified. Seeing how we have not moved any sand in a year is there an option for a variance permit without having to certify the scale every three months as you had mentioned? Please let me know if you need any additional information.

Thanks Again

--  
Brian J. Merkel  
General Manager  
Sand Solutions  
[brianjmerkel@gmail.com](mailto:brianjmerkel@gmail.com)  
C: (701) 500-2592  
O: (701) 453-3667

7 **WM-14-822** Filed: 3/31/2016 Pages: 7  
**Request for variance permit extension**

Sand Solutions

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

**Sand Solutions  
Variance Permit  
Application**

**Case No. WM-14-822**

**TEMPORARY VARIANCE PERMIT**  
*Expires: Midnight on November 13, 2015*

**Issued To:**

Sand Solutions  
PO Box 307  
Berthold ND 58718

**Scale Location:**

Sand Solutions  
215 1<sup>st</sup> Ave NE  
Minot ND 58701

**Scale Information:**

Pacific 70' Truck Scale, 200,000 lb., Serial Number 150238 / 1572400060

**Request To:**

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

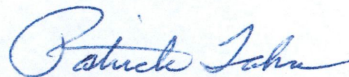
- 1) Less clearance (8.5" to 9.5") than required (12") between the "I" beam and the slab.

**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 Sand Solutions;
- 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.

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

Dated November 13, 2014



Patrick Fahn, Director  
Compliance and Competitive Markets Division

**PUBLIC SERVICE COMMISSION**

**STATE OF NORTH DAKOTA**

**TEMPORARY VARIANCE PERMIT**

**EXPIRES: Midnight on November 13, 2014**

**Issued To:**

Sand Solutions  
PO Box 307  
Berthold ND 58718

**Scale Location:**

Sand Solutions  
215 1<sup>st</sup> Ave NE  
Minot ND 58701

**Scale Information:**

Pacific 70' Truck Scale, 200,000 lb., Serial Number 150238 / 1572400060

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 (8.5" to 9.5") than required (12") between the "I" beam and the slab.

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

Dated November 13, 2014



Patrick Fahn, Director  
Compliance and Competitive Markets Division



# CAPITAL SCALE

PO BOX 2021 - Bismarck, ND 58502-2021  
Phone: 701-255-1556

Date 1-28-15	PSC Device Code 314	No. of Sections 4	Complete each item with Y (Yes), N (No), or NA (Not Applicable)	
Name of Business Sand Solutions			<input type="checkbox"/> New Installation (w/ RFI Check)	<input type="checkbox"/> Performed Calibration
Mailing Address 11200-38th St South			<input type="checkbox"/> Modified Equipment	<input type="checkbox"/> Use as a Reference Scale
City Horace	State ND	Zip Code 58047	<input type="checkbox"/> Replaced Existing Equipment	<input checked="" type="checkbox"/> Non-Commercial
County Ward	Telephone Number 500-2592		Y Variance Permit Posted; Expiration Date: 11-13-15	
Device Contact/Manager	Cell Number		Y Stored/Recalled Weights Meet NDAC §§ 69-10-02-23 & 69-10-02-24	
Email Address			M Software is NTEP Approved	
Device Location Must Location			O Built-In Standards; Date Certified: _____	
			<input type="checkbox"/> Multiple Decks/Single Indicator	Y Customer Has Clear View
			Y Clearance Below Scale Clear	AA Video Camera Working
			Y Approach Requirements Met	O View Distance > 200'
			Y Pit Coping and Crush Strip Good	AA Two-Way Audio Working
			O In Response to PSC Quality Assurance Inspection	

### Scale Information

Scale Manufacturer Pacific	Indicator Manufacturer/Model 9201	Indicator Serial No. 1572400060	Weighing Elements FLC(18)
Capacity/Divisions/Units 200,000 x 20	Legible Label Y N	Class ITSL	Printer Manufacturer/Model SP2000
Deck Size 70'	Clearance (inches) 8.5	Approach - 12' Concrete Level OK	Printer Serial No. RL3069
SR or Discrimination Test Zero Load = _____ lb. Loaded = _____ lb.	Motion Detection Range = 60 lb.	AZSM (Auto Zero) Range = 60 lb.	Hard Surface Approach (Length/Slope/Condition) OK, OK, OK

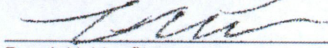
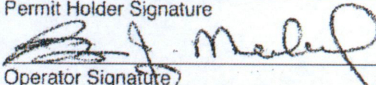
### Test Data

LBP / Section / Product Wt.	Value of Test Weights Used	Errors +/-		LBP / Section / Product Wt.	Value of Test Weights Used	Errors +/-	
		As Found	As Left			As Found	As Left
LBP 1	10000#		0/20	Seck 1	20000#		0
2			0	2			-20
3			0	3			-20
4			0	4			120
5			0	5			0
6			-20	6			
7			0/20	7			
8			0	8			
BL	0		0	TRUCK	48500#		40#
				5			
				4			
				BL	0		

### Strain Load Test

Section (Increasing or Decreasing)	3			Remarks (include environmental conditions, if applicable). Attach additional sheets as necessary.
Full Truck Weight	48480			
Test Weight	20000			
Empty Truck Weight	28480			
Errors	0			
Physical Seal <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Electronic Audit Trail: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			
Seal Date:	Audit Trail Information:			
Seal Type:				
Meets tolerances in PSC adopted NIST Handbook 44? <input checked="" type="checkbox"/> Maintenance <input type="checkbox"/> Acceptance				
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Rejected <input type="checkbox"/> Taken out of Service <input checked="" type="checkbox"/> Sticker Applied				

By signing this test report, I declare that I have examined this report and to the best of my knowledge and belief, the report is complete and the facts stated are sufficient, true and correct. I also declare that, except for conditions noted in "Remarks," the device meets the minimum requirements of the State laws and rules, including NIST Handbook 44, for use of the device in commerce.

 1670  
 Permit Holder Signature Permit No. 4  
 1-28-15  
 Operator Signature Date

WM-14-822 Filed: 1/28/2015 Pages: 1  
Test report



# CAPITAL SCALE

PO BOX 2021 • Bismarck, ND 58502-2021  
Phone: 701-255-1556

Date <u>5.11.15</u>	PSC Device Code <u>3V4</u>	No. of Sections <u>4</u>	Complete each item with Y (Yes), N (No), or NA (Not Applicable)	
Name of Business <u>Sand Solutions</u>			<input type="checkbox"/> New Installation (w/ RFI Check)	<input type="checkbox"/> Performed Calibration
Mailing Address <u>6525 N. MacArthur Blvd #205</u>			<input type="checkbox"/> Modified Equipment	<input type="checkbox"/> Use as a Reference Scale
City <u>Minot</u>	State <u>ND</u>	Zip Code <u>58039</u>	<input type="checkbox"/> Replaced Existing Equipment	<input type="checkbox"/> Non-Commercial
County <u>Ward</u>	Telephone Number <u>838-0727</u>		<input checked="" type="checkbox"/> Variance Permit Posted; Expiration Date: <u>11.13.15</u>	
Device Contact/Manager	Cell Number		<input checked="" type="checkbox"/> Stored/Recalled Weights Meet NDAC §§ 69-10-02-23 & 69-10-02-24	
Email Address			<input checked="" type="checkbox"/> Software is NTEP Approved	
Device Location <u>Minot location</u>			<input type="checkbox"/> Built-In Standards; Date Certified: <u>11.13.15</u>	
			<input type="checkbox"/> Multiple Decks/Single Indicator	<input checked="" type="checkbox"/> Customer Has Clear View
			<input checked="" type="checkbox"/> Clearance Below Scale Clear	<input checked="" type="checkbox"/> Video Camera Working
			<input checked="" type="checkbox"/> Approach Requirements Met	<input type="checkbox"/> View Distance > 200'
			<input checked="" type="checkbox"/> Pit Coping and Crush Strip Good	<input checked="" type="checkbox"/> Two-Way Audio Working
			<input type="checkbox"/> In Response to PSC Quality Assurance Inspection	

Scale Manufacturer <u>Pacific</u>	Indicator Manufacturer/Model <u>9201</u>	Indicator Serial No. <u>1572400060</u>	Weighing Elements <u>FLC (8)</u>
Capacity/Divisions/Units <u>200,000x20#</u>	Legible Label <u>Y N III</u>	Printer Manufacturer/Model <u>SP2600</u>	Printer Serial No. <u>R13069</u>
Deck Size <u>70</u>	Clearance (inches)	Approach - 12' Concrete Level <u>OK</u>	Hard Surface Approach (Length/Slope/Condition) <u>OK OK OK</u>
SR or Discrimination Test Zero Load = _____ lb. Loaded = _____ lb.	Motion Detection Range = <u>60</u> lb.		AZSM (Auto Zero) Range = <u>60</u> lb.

LBP / Section / Product Wt.	Value of Test Weights Used	Errors +/-		LBP / Section / Product Wt.	Value of Test Weights Used	Errors +/-		
		As Found	As Left			As Found	As Left	
LBP 1	8000#	+20	+20	Set 1	16000#	+20	+20	
2		0	0	2		+20	+20	
3		0	0	3		0	0	
4		0	0	4		0	0	
5		-20	-20	5		0	0	
6		0	0	6		0	0	
7		+20	+20	TRUCK 1		44200#	40#	40#
8		0	0	7				
BC		0	0	8				

Section (Increasing or Decreasing) <u>2</u>	Remarks (include environmental conditions, if applicable). Attach additional sheets as necessary.
Full Truck Weight <u>44200</u>	
Test Weight <u>16000</u>	
Empty Truck Weight <u>28200</u>	
Errors <u>+20</u>	
Physical Seal <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Electronic Audit Trail: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Seal Date:	Audit Trail Information:
Seal Type:	
Meets tolerances in PSC adopted NIST Handbook 44? <input checked="" type="checkbox"/> Maintenance <input type="checkbox"/> Acceptance	
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Rejected <input type="checkbox"/> Taken out of Service <input checked="" type="checkbox"/> Sticker Applied	

By signing this test report, I declare that I have examined this report and to the best of my knowledge and belief, the report is complete and the facts stated are sufficient, true and correct. I also declare that, except for conditions noted in "Remarks," the device meets the minimum requirements of the State laws and including NIST Handbook 44, for use of the device in commerce.

Permit Holder Signature [Signature] 1670 Permit No.  
Operator Signature [Signature] 5.11.15 Date



# CAPITAL SCALE

PO BOX 2021 • Bismarck, ND 58502-2021  
Phone: 701-255-1556

Date	11-3-2016	PSC Device Code	3V4	No. of Sections	4	Complete each item with Y (Yes), N (No), or NA (Not Applicable)	
Name of Business	Sand Solutions		<input checked="" type="checkbox"/> New Installation (w/RFI Check)		<input checked="" type="checkbox"/> Performed Calibration		
Mailing Address	11202-38th St. S.		<input checked="" type="checkbox"/> Modified Equipment		<input checked="" type="checkbox"/> Use as a Reference Scale		
City	Horace	State	ND	Zip Code	58047	<input checked="" type="checkbox"/> Replaced Existing Equipment	
County	Ward	Telephone Number	500-2592		<input checked="" type="checkbox"/> Variance Permit Posted; Expiration Date: _____		
Device Contact/Manager	Brian	Cell Number			<input checked="" type="checkbox"/> Stored/Recalled Weights Meet NDAC §§ 69-10-02-23 & 69-10-02-24		
Email Address					<input checked="" type="checkbox"/> Software is NTEP Approved		
Device Location	Truck scale between hoppers Market				<input checked="" type="checkbox"/> Built-In Standards; Date Certified: _____		
						<input checked="" type="checkbox"/> Multiple Decks/Single Indicator	
						<input checked="" type="checkbox"/> Customer Has Clear View	
						<input checked="" type="checkbox"/> Clearance Below Scale Clear	
						<input checked="" type="checkbox"/> Video Camera Working	
						<input checked="" type="checkbox"/> Approach Requirements Met	
						<input checked="" type="checkbox"/> View Distance > 200'	
						<input checked="" type="checkbox"/> Pit Coping and Crush Strip Good	
						<input checked="" type="checkbox"/> Two Way Audio Working	
						<input checked="" type="checkbox"/> In Response to PSC Quality Assurance Inspection	

### Scale Information

Scale Manufacturer	Pacific	Indicator Manufacturer/Model	Rice Lake 920i	Indicator Serial No.	1572400060	Weighing Elements	FLC
Capacity/Divisions/Units	200,000lb x 20lb	Legible Label	XY N	Class	III	Printer Manufacturer/Model	Rice Lake SP2000
Printer Serial No.	RL3069	Deck Size	70'	Clearance (Inches)	12"	Approach - 12' Concrete Level	Good
Hard Surface Approach (Length/Slope/Condition)	Good	SR or Discrimination Test	Zero Load = _____ lb. Loaded = _____ lb.		Motion Detection Range = 60 lb.	AZSM (Auto Zero) Range = 60 lb.	

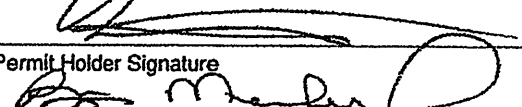
### Test Data

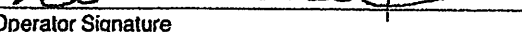
LBP / Section / Product Wt.	Value of Test Weights Used	Errors +/-		LBP / Section / Product Wt.	Value of Test Weights Used	Errors +/-	
		As Found	As Left			As Found	As Left
RC	0		0	RC	0		0
Corners	10,000		0	<div style="font-size: 4em; opacity: 0.5;">X</div>			
			0				
			+20				
			+20				
			0				
			0				
			0/+20				
			0/+20				
Sections	20,000		0				
			0				
			+20				
			+20				

### Strain Load Test

Section (Increasing or <del>Decreasing</del> )	2	Remarks (include environmental conditions, if applicable). Attach additional sheets as necessary.  <b>Tested &amp; Approved Sticker Applied</b>
Full Truck Weight	48,540	
Test Weight	20,000	
Empty Truck Weight	28,520	
Errors	+20	
Physical Seal <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Electronic Audit Trail: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Seal Date:	Audit Trail Information:	
Seal Type:		
Meets tolerances in PSC adopted NIST Handbook 44? <input checked="" type="checkbox"/> Maintenance <input type="checkbox"/> Acceptance		
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Rejected <input type="checkbox"/> Taken out of Service <input checked="" type="checkbox"/> Sticker Applied		

By signing this test report, I declare that I have examined this report and to the best of my knowledge and belief, the report is complete and the facts stated are sufficient, true and correct. I also declare that, except for conditions noted in "Remarks," the device meets the minimum requirements of the State laws and rules, including NIST Handbook 44, for use of the device in commerce.

Permit Holder Signature:  Permit No. 1801

Operator Signature:  Date 11/3/2016