

0042-15 T-ZC-CUP

August 19, 2015

NST Express
C/O Territorial Landworks
1817 South Ave. West, Suite A
Missoula, MT 59801

RE: Correction to original approval letter dated July 22, 2015

This is to confirm that, at their June 16, 2015 meeting, the McKenzie County Board of Commissioners approved the text amendment, zone change, and conditional use permit requests for a trans load facility with bulk storage containing oil storage tanks, (3) 50,000 barrel tanks and associated support buildings shown in the site plan are also proposed. This project is to be located on approximately 50 acres, commonly known as a portion of NE/4 of Section 24, Township 152N, Range 102W, shown on the submitted plat/site plan.

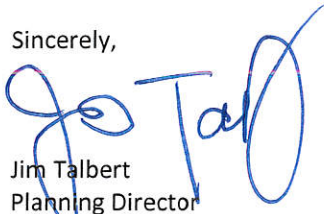
Keep in mind that the following conditions were placed on the project:

1. The applicant shall obtain a building permit for the existing and proposed structures within the proposed development.
2. The applicant shall follow the amended exterior site plan that incorporates fencing (6' chain link), security lighting (the approach shall be lit), and landscaping (a mixture of coniferous and deciduous trees with a 1:1 mixture ratio; the coniferous at least 3' tall and the deciduous at least a 1.5 caliper) approved as part of this request. The trees shall be established by July 1, 2016.
3. The applicant shall not deposit any snow or water onto the neighboring properties and dispose of storm water onsite through an approved engineering method. Additionally, the applicants shall design the storm water and culvert system to convey a 25 year event.
4. The applicant shall post the address clearly on site and provide a project sign (4' by 8') on site to identify the project.
5. The applicant shall paint all structures and facilities on site matching earth tone colors.
6. The applicant shall adhere to all Federal and State laws, regulations, and conditions for the operation of the proposed facility.
7. The applicant shall share all final approvals and continuing approvals/reviews with the County/State/Federal agencies as they are obtained or altered, along with any violations and as it relates to this conditional use approval.
8. The applicant shall continually maintain and control dust on all drivable areas within the site and provide dust control for ¼ mile from the approach in the direction of 39th St. NW.

9. All lighting on site shall be downward facing and shall not glare on adjacent property owners or the public travel ways.
10. The applicant shall maintain adequate weed control; including using certified weed free fill.
11. The applicant shall maintain adequate garbage control within the site and along the road; the applicant shall keep the site tidy and clean of any debris.
12. The applicant shall fence the site before construction.
13. The applicant shall construct the facility with fixtures to contain the leakage at valves.
14. The applicant shall submit a bond equaling 150% of an engineer's estimate to remediate/reclaim the site when the development is not planned to be utilized any further or after 6 months abandonment.
15. The applicants conditional use permit will be reviewed on an annual basis to ensure conformance with the conditions of approval, if conditions are not adhered to then the permit can be placed on the Planning Commission agenda for revocation.

If you have any questions, please feel free to call 701-444-6494.

Sincerely,



Jim Talbert
Planning Director
McKenzie County