

10/19/2017



ND Public Service Commission  
Testing & Safety Division  
600 East Boulevard Avenue  
Bismarck, ND 58505

Request for Variance Permit:

Border Ag & Energy is requesting a variance permit for the installation of two new truck scales that will be located at the following site:

Border Ag & Energy  
Russell Grain Terminal  
8674 County Road 20  
Russell, ND 58762

Both scales are manufactured by Rice Lake Weighing Systems (RLWS) out of Rice Lake, WI. The scales being installed are above ground RLWS SURVIVOR® OTR Model EZ11012-ST-100-OTR truck scales with steel decks and guide rails. The deck size is 110' x 12'. The concentrated load capacity (CLC) is 100,000lbs. All trucks weighed on the scales will fall within their CLC and not pose a safety hazard. The truck scale serial numbers are yet to be determined by the manufacturer.

Border Ag is requesting a variance permit to allow the foundation of each scale to be a standard deep pier type foundation, with the addition of retaining walls along both sides. It is our understanding that the addition of the retaining walls would make this foundation fall under the category of a shallow pit. We would like to use this type of design to eliminate the need for sloped approaches and to eliminate the confined space entry permit needed for deep pit foundations.

The pier foundation meets all state requirements and exceeds the manufacturer's minimum requirements. The retaining wall additions have been designed to allow for proper scale clearance between guide rails and walls. They include access holes and cover plates at each load cell point to allow for proper service and maintenance. In addition, one of the retaining walls will include access holes and cover plates with PVC pipe to allow for proper drainage; with the washout slab being sloped to each drain pipe. (Please see attached reference drawing and pictures.) The scales will also have buildings over them.

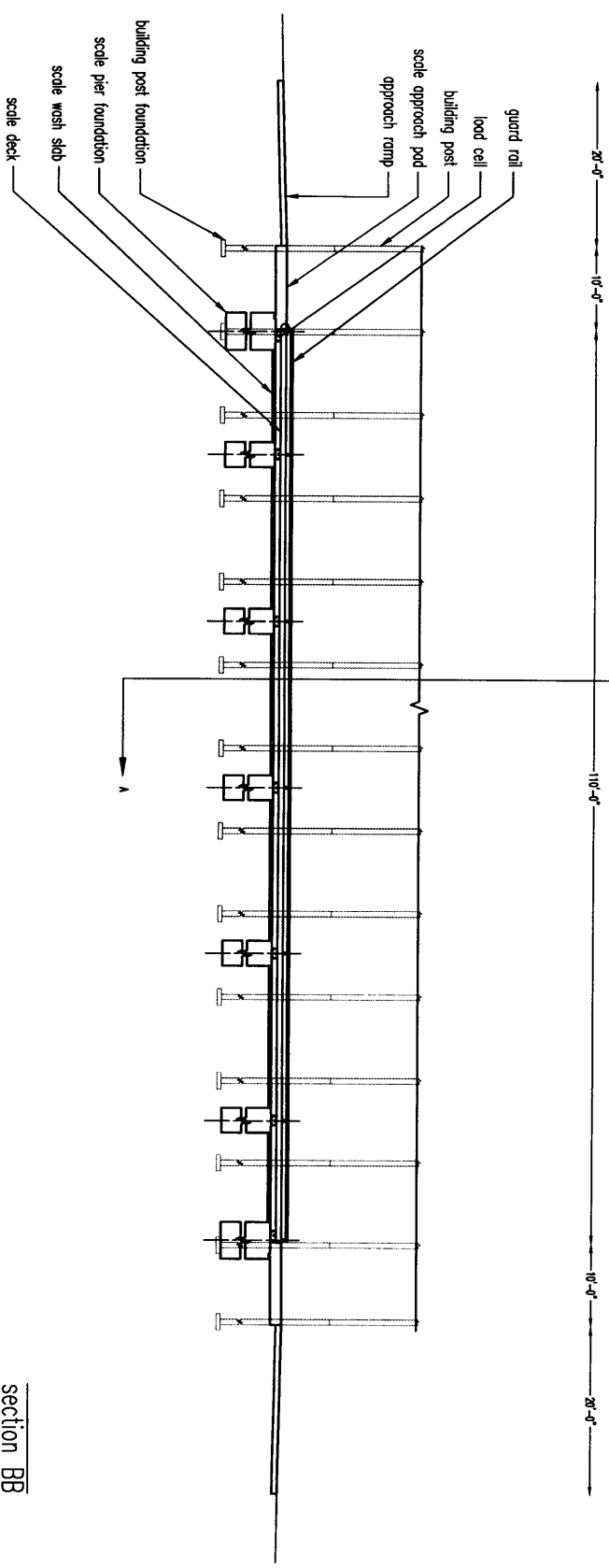
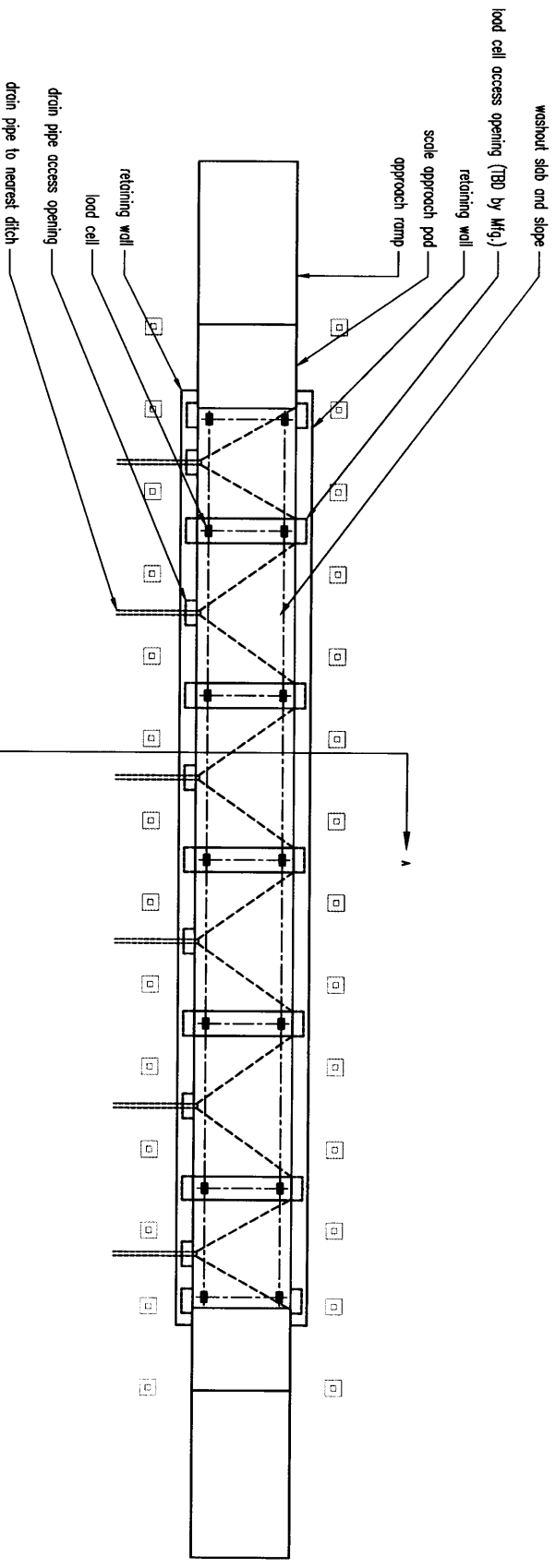
Please let me know if you have any questions regarding this request, or if you require any further information. Thank you in advance for your consideration.

Respectfully,

A handwritten signature in black ink that reads "Wayne Johnson".

Wayne Johnson  
General Manager  
Border Ag & Energy  
wjohnson@borderag.coop  
Office: 701-272-6179  
Cell: 701-263-7296





section BB



## **Bauske, Shelly A.**

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**From:** Tiffany Jacobs <tiffany@northwestscale.com>  
**Sent:** Thursday, October 19, 2017 1:56 PM  
**To:** Bauske, Shelly A.; Crockford, Konrad S.  
**Cc:** 'Wayne Johnson'; Mike Heinen; 'Jim Jacobs'  
**Subject:** Above Ground Scale Foundation with Retaining Walls - Variance Request  
**Attachments:** Border Ag & Energy - Russell - ND Variance Permit Request.pdf; Border Ag & Energy - Russell - Scale Drawing.pdf; Border Ag Retaining Wall Example.jpg

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi Konrad,

As per your previous conversation with Jim and correspondence from Shelly, please see the attached Variance Permit Request for Border Ag & Energy in Russell, ND. They are requesting a variance to add retaining walls to their deep pier foundation for above ground scales. I've also attached an example drawing of what they are proposing and a picture of a similar retaining wall completed at another site.

Please let me know if you need anything else or have any further questions!

Thank you,  
Tiffany Jacobs

Northwest Scale, Inc.  
2210 Main Avenue East, Suite 2A  
West Fargo, ND 58078  
Phone: (701) 298-9527  
Fax: (701) 356-9520  
[www.northwestscale.com](http://www.northwestscale.com)

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**From:** Bauske, Shelly A. [mailto:sbauske@nd.gov]  
**Sent:** Wednesday, September 6, 2017 2:50 PM  
**To:** tiffany@northwestscale.com  
**Cc:** jim@northwestscale.com; Crockford, Konrad S. <kcrockford@nd.gov>  
**Subject:** RE: Above Ground Scale Foundation with Retaining Walls

Good Afternoon Tiffany

The Public Service Commission will issue a variance for the 4' pit clearance requirement. The variance permit may include conditions such as additional testing. The variance permit request must be submitted by the operator and include the information required in N.D. Admin. Code § 69-10-01-04.1.

If you have any additional questions, please contact either Konrad at 701-328-4097 or me.

Thank you.

Shelly Bauske  
Public Service Commission  
600 E Boulevard Ave Dept 408  
Bismarck ND 58505-0480  
701-328-4070  
701-328-2410 (fax)  
[sbauske@nd.gov](mailto:sbauske@nd.gov)

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**From:** Crockford, Konrad S.  
**Sent:** Tuesday, September 05, 2017 1:09 PM  
**To:** Bauske, Shelly A.  
**Subject:** FW: Above Ground Scale Foundation with Retaining Walls  
**Importance:** High

I talk to Jim over at Northwest just now. Let's go ahead and draft a variance for them for the scale not meeting the 4' requirement per the rules

Thanks,

Konrad Crockford  
Director of Compliance  
North Dakota Public Service Commission  
701-328-4097 [kcrockford@nd.gov](mailto:kcrockford@nd.gov)



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**From:** Tiffany Jacobs [<mailto:tiffany@northwestscale.com>]  
**Sent:** Friday, September 01, 2017 10:17  
**To:** Crockford, Konrad S. <[kcrockford@nd.gov](mailto:kcrockford@nd.gov)>  
**Cc:** 'Jim Jacobs' <[jim@northwestscale.com](mailto:jim@northwestscale.com)>  
**Subject:** Above Ground Scale Foundation with Retaining Walls  
**Importance:** High

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Hi Konrad –

A customer of ours has recently requested us to bid on a new scale project for them. The design specs and criteria call for a deep pier foundation. Furthermore – they request that there be retaining walls poured on both sides of the scale. These retaining walls would have access covers for each load cell. It would also have drain pipes on one side of the scale with the washout slab sloped towards it allowing for drainage. They do plan to put a building over this scale as well.

To our knowledge, this would be considered an above ground scale in a shallow pit (because they are closing in all sides). If so, this would not meet the 4' criteria minimum requirement for clearance. (Although I couldn't find any specifics on retaining walls for above ground foundations in the ND code.)

Can you review the attached drawing and let us know if this would be an approved foundation in ND or not?

If you could give Jim a call after reviewing the drawing and foundation laws, it would be greatly appreciated.  
Jim Jacobs (Office) 701-298-9527 (Cell) 701-238-6929

Thank you,  
Tiffany Jacobs

Northwest Scale, Inc.  
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