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**North Dakota
Court System**

Notification of Service

Case Number: 08-2018-CV-02937

Envelope Number: 3342759

Case Style: Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.

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Case Number	08-2018-CV-02937
Case Style	Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.
Date/Time Submitted	3/14/2019 4:48 PM CST
Filing Type	Affidavit
Filing Description	Declaration of Laura Grzanic
Filed By	JJ England
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STATE OF NORTH DAKOTA

DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Environmental Law & Policy Center and Dakota Resource Council,)	
)	Civil No. 08-2018-CV-02937
Appellants,)	PSC Case No. PU-18-223
)	
v.)	
)	DECLARATION OF LAURA GRZANIC
North Dakota Public Service Commission, and Meridian Energy Group, Inc.,)	
)	
Appellees.)	
)	

I, Laura Grzanic, hereby declare the following:

1. I, Laura Grzanic, am a member of the Dakota Resource Council. I am also a member of Badlands Area Resource Council.

2. My home where I live is located approximately one mile from the proposed Davis Refinery. I own forty acres (NW1/4 NW1/4 Section 14, T139N, R100W). This is where I live permanently, and I also have a hobby farm here.

3. Because I live just a mile from the Davis Refinery, I am also very concerned about the impacts of construction and eventual operations of the refinery. My concerns include the following:

- a. I have had several conversations with first responders and emergency management in Billings County about how emergencies would be responded to, such as a fire, at the Davis Refinery. Our local Billings County fire department is a volunteer fire department. I was told by first responders that Billings County would not be able to fight a fire at the Davis Refinery, and they would have to let

a fire burn itself out. I also believe this based upon my own experience living in my community. Based on my years of living in Billings County, our fire department is prepared for rural, agricultural fires, and typical building fires. But a massive, full-scale oil refinery is completely different. Because I live one mile from the proposed Davis Refinery, I am extremely concerned that the Davis Refinery will negatively impact my safety and my livestock's safety. Although I hope that a fire will never occur, if it does occur in the middle of the night, I fear that it could be catastrophic to me personally.

- b. I will have to deal with hundreds of trucks, workers, heavy equipment, noise, lights, and constant work for years while the refinery is built. I will also have to deal with hundreds of trucks practically in my backyard. I know that people have died in the oilfield from truck traffic, and I am very concerned that hundreds of trucks driving every day next to my home is a serious risk to my safety and my livestock's safety.
- c. If the proposed Davis Refinery becomes operational, I am also concerned about the impact of significant noise and lights on my home. At one time, my community was a relatively quiet and peaceful place to live. The noise and lights from the largest refinery to be constructed in the United States in over forty years would certainly change the peace and enjoyment that I have come to enjoy in my home and community.
- d. I am also concerned that the proposed Davis Refinery may be located in a floodplain. Specifically, the proposed Davis Refinery is on a property that contains a creek, which eventually flows into the Heart River. It is well known

and documented that there has previously been significant flooding in Belfield, which is on the same creek and is just downstream. I am very concerned that if similar flooding happens on the Davis Refinery property, that it could lead to problems at the refinery that might affect my health and safety and my livestock's health and safety.

- e. I am also concerned that the Davis Refinery will change the character of our community. Will our community have sufficient police, fire, schools, education, transportation, housing, labor, and services to support this proposed major refinery? At the minimum, this refinery will change the very fabric of my community, and I am very concerned that these issues have been not been discussed and formally considered.
- f. One thing that I enjoy about my home is that I am lucky to live near Theodore Roosevelt National Park. I am lucky to live at the gateway of this state and national treasure. The siting of the largest United States oil refinery in over forty years directly adjacent to my home and the primary entrance to our national park would harm my enjoyment of the National Park. At one time, entering the park was a peaceful and enjoyable experience. Over the years, there has been industrial development immediately along I-94 prior to entering the National Park (oil wells, a large and noticeable rail terminal, and a natural gas processing plant in particular). The proposed Davis Refinery, however, is a project that is significantly larger than anything in the area. I am very concerned that the recreational and cultural impacts of the Refinery have not been considered.

g. Finally, I am concerned that, for each of the above impacts, that these impacts have not been considered when combined with all of the other recent industrial development in our community. I believe that these cumulative impacts are important to consider.

4. I understand that Chapter 69-06-08 of the North Dakota Administrative Code includes the PSC's siting criteria, and that the PSC's siting process includes careful consideration of all of the above concerns.

5. I understand that DRC originally brought the underlying case against Meridian to the PSC because DRC alleges that Meridian has begun constructing its Davis Refinery without first obtaining a siting permit.

6. I understand that if DRC is successful in the underlying case against Meridian, that Meridian would have to complete the major facility siting process before constructing its Davis Refinery. In other words, all of my concerns would be directly addressed by the PSC. I would also be able to bring my concerns directly to the Commission.

7. I understand that in the underlying complaint against Meridian before the PSC, that there should have been an opportunity to seek the truth about whether Meridian's refinery will be capable of refining at least 50,000 barrels per day of crude oil. I understand that DRC's appeal in this case is based upon the improper denial of a fair hearing (or any hearing, for that matter), including denial of discovery and the opportunity to present evidence. The improper denial of discovery and an evidentiary hearing directly harms me. Specifically, as somebody who might eventually be the immediate neighbor of the Davis Refinery, I have made sure to be very familiar with all of Meridian's permit applications, permits, press releases, and public statements. I understand that to this very day, Meridian continues to hold a Permit to Construct a 55,000 bpd

refinery from the North Dakota Department of Health. In short, I am confident that DRC's underlying complaint before the PSC is correct.

8. Relief from this Court would allow discovery and an evidentiary hearing, which would directly redress the harm from the PSC's dismissal of DRC's underlying case against Meridian.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of March, 2019 in Billings County, North Dakota.



Laura Grzanic