

**Hamre, John G.**

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**Subject:** Notification of Service for Case: 08-2018-CV-02937, Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al. for filing Affidavit, Envelope Number: 3342759

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**North Dakota  
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## 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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<b>Case Number</b>	08-2018-CV-02937
<b>Case Style</b>	Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.
<b>Date/Time Submitted</b>	3/14/2019 4:48 PM CST
<b>Filing Type</b>	Affidavit
<b>Filing Description</b>	Declaration of Pat Hedstrup
<b>Filed By</b>	JJ England
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a risk to my friends and their children in the community. I have friends and neighbors with small children who ride school buses that would share these roads.

- b. If the proposed Davis Refinery becomes operational, I am also concerned about the impact of significant noise, lights, and dust. The noise, lights, and dust 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.
- c. I am also concerned that the Davis Refinery will change the character of my community. A refinery of this size would affect everything from adequacy of emergency response (police and fire) to schools, education, transportation, and housing in my community. I am certain that, at the minimum, this refinery, if built, would change my community and would be a significant strain on my community. I am very concerned that these issues have not been discussed and formally considered.
- d. One thing that I enjoy about my home is that I am lucky to live near Theodore Roosevelt National Park. I have lived here my entire life and enjoy the solitude. The National Park has always symbolized a pristine environment to me. I have always been able to look at the park and say “at least this small area is safe from industrial development.” But in reality, I know what impacts me – the noise, the dust, and the pollution – will also impact the National Park. The siting of the largest United States oil refinery in over forty years in close proximity to my home and the primary entrance to our national park would harm my enjoyment of the National Park and the value that I place on its pristine environment and

representation of our past. The proposed Davis Refinery, however, is a project that is larger than any other industrial development in the area. I am very concerned that the recreational and cultural impacts of the Refinery have not been considered.

e. 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.

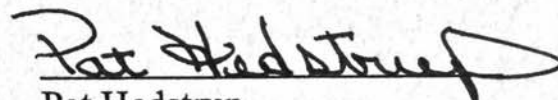
7. I understand that in the underlying complaint against Meridian before the PSC, that there should have been an opportunity to seek the truth about whether Meridian's refinery will be capable of refining at least 50,000 barrels per day of crude oil. I understand that DRC's appeal in this case is based 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 12 day of March, 2019 in Billingo County, North Dakota.

  
Pat Hedstrup