

March 10, 2023

Via Electronic Mail & Hand Delivery

Mr. Steve Kahl
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

In re: Bayou Midstream, LLC
Request for Jurisdictional Determination
Amended Exhibit A
Case No. PU-23-75
Our File No. 131097-000002

Dear Mr. Kahl:

On behalf of Bayou Midstream, LLC (“Bayou”), enclosed for filing in the above-referenced matter are eight copies of the Amended Exhibit A (East Fairview Terminal Schematic) to Bayou’s Request for Jurisdictional Determination (“JD Request”) filed with the Commission on February 22, 2023. Docket No. 1. The enclosed Amended Exhibit A supersedes and replaces the Exhibit A previously attached to the February 22 filing.

The purpose of the Amended Exhibit A is to correct the flow depiction related to the bullet and crude tanks in the original Exhibit A. Specifically, the tanks that comprise the proposed blend facility will strictly receive crude via truck and are not otherwise fed by pipeline nor do they have bidirectional flow capabilities. The facilities and their functions are accurately described within the JD Request, however, the flow of crude was incorrectly depicted in the original schematic exhibit. Bayou submits that the blend facility is non-jurisdictional under N.D.C.C. Ch. 49-22.1 because it does not meet the definition of a liquid transmission facility. The blend facility will be located upstream of the jurisdictional pipeline and will receive hydrocarbons solely from trucks. The basis for Bayou’s jurisdictional assessment is explained in detail in Section III of the JD Request. Bayou emphasizes that the blend facility is not otherwise a “pipeline storage site” under N.D.C.C. Ch. 49-22.1 and thus is exempt from siting.

For the reasons more specifically set forth in the JD Request, Bayou respectfully requests the Commission concur that the blend facility is non-jurisdictional under N.D.C.C. Ch. 49-22.1.

Please feel free to call should you have any questions or would like to discuss. Thank you.

Sincerely,

/s/ Casey A. Furey

Casey A. Furey

CAF/lh

Enc.

cc: Wade Mann (via email)
John Schuh (via email)
Brian Johnson (via email)

Travis Roby (via email)
Sheldon Tullos (via email)
Spencer Nordgran (via email)

EAST FAIRVIEW TERMINAL

- NORTHSTAR PHASE 1
- NORTHSTAR PHASE 2
- BAYOU PIPELINE CONNECT
- BAYOU BLENDING (NEW)

AMENDED
EXHIBIT
A

TRUCK CRUDE/CONDENSATE
OFFLOAD BAY

①

②

FIVE
103,000 BBL TANKS

④
RECYCLE/CHARGE
PUMP

MOV
INJECTION
INTO CRUDE LINE

⑩ ⑤
CUSTODY
METER

⑥
MAINLINE
PUMP

⑦
12" ALEXANDER CONNECTOR
CRUDE PIPELINE
TO DAPL INJECTION

MONTANA

⑧

8" FAIRVIEW CONNECTOR
CRUDE PIPELINE

③

OUT OF SERVICE

5 VERTICAL CAN
PUMPS

CRUDE RAIL LOADING

NEW CONSTRUCTION

- Facility only fed by Trucks
- ONE 90,000 GALLON BULLET TANK
- TWO 3,000 BARREL CRUDE TANKS

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