

COMMISSIONER  
DOUG GOEHRING



ndda@nd.gov  
www.nd.gov/ndda

**NORTH DAKOTA**  
**DEPARTMENT OF AGRICULTURE**  
STATE CAPITOL  
600 E. BOULEVARD AVE. - DEPT. 602  
BISMARCK, ND 58505-0020

RECEIVED

CASS CO AUDITOR

AUG 07 2014 AM 08:28

Tuesday, August 05, 2014

Cass County Courthouse  
211 9<sup>th</sup> Street South  
Fargo, ND 58103  
ATTN: Michael Montplaisir

**CC: CASS BOARD OF COUNTY COMMISSIONERS**

County Commissioners:

This letter is to notify you of the application sent to the North Dakota Department of Agriculture for an anhydrous ammonia facility license in Buffalo, N.D. The application was sent by the Arthur Companies.

In the application packet you will find the following:

1. Signed affidavit verifying the site meets state siting requirements.
2. State Form Number 18768.
3. A drawing of the proposed site noting the location of the container.

North Dakota Century Code 19-20.2-03 requires the board of county commissioners at which the facility resides to approve of the facility location, and have the chair of the board sign SFN 18768 enclosed in the application packet once approved.

North Dakota Administrative Rule 7-12-01-03 also gives the county authority to require any local siting requirements beyond what the Department requires. This is a new facility which is being built by the Arthur Companies. We are working with them on the engineering requirements to make sure the facility is safe to use and it will not be allowed into operation until it is inspected and approved.

If you have any questions or concerns about this facility you can reach me at 701-328-1508.

Regards,

Eric Delzer  
Fertilizer Specialist  
North Dakota Department of Agriculture

**SUGGESTED MOTION:**

Move to approve the facility location for an anhydrous ammonia facility license submitted by Arthur Companies located in Buffalo, North Dakota.

701-328-2231  
800-242-7535



**ANHYDROUS AMMONIA LICENSE APPLICATION**  
 NORTH DAKOTA DEPARTMENT OF AGRICULTURE  
 PESTICIDE AND FERTILIZER DIVISION  
 SFN 18768 (11-2012)

Return This Form To:  
 ND Department of Agriculture  
 600 E Boulevard Ave Dept 602  
 Bismarck ND 58505-0020  
 Email: reg@nd.gov  
 Telephone: 701-328-1500

NOTE TO APPLICANTS:

The licensing fee is \$25 for an anhydrous ammonia bulk storage facility (farm/private) exceeding 6,000 gallons (22,712.47 liters) of storage capacity and \$100 for each retail and storage site (\$100 for combined retail and storage). The license is valid indefinitely, but may not be transferred. For a facility to sell anhydrous at retail in North Dakota, a fertilizer distributor license is required in addition to an anhydrous ammonia license.

No permanent anhydrous ammonia storage facility may be constructed after June 30, 1985, without a license issued by the Commissioner of Agriculture. Before constructing a new facility, initial approval must be obtained from the board of county commissioners in the county which the facility is to be constructed. The Department of Agriculture will submit the application to the county for signature.

Complete the applicant section and return to the address above with the appropriate fee and a property/site layout.

Applicant Name The Arthur Companies		E-Mail Address sperry@arthurcompanies.com	
Company Name The Arthur Companies		Telephone Number (701) 633-5111	
Name(s) of Manager or Owner(s) (if different from applicant) Steven Perry or FW Burgum		Telephone Number (if different from company)	
Company Mailing Address 80 Main Street		City Buffalo	State ND
Facility Street Address (If different from company's mailing) same		City	State
Legal Description of Anhydrous Site Location (please include GPS coordinates, if available) Cass County ND Tower Sect 24 S 1/2 of SW qtr 46 55 521'N 97 33 653' W		<b>ND DEPARTMENT OF AGRICULTURE</b> <b>DATE RECD. 7-2-14</b> <b>CHECK #. 59356</b> <b>GENERAL. \$100.00</b> <b>OPERATING</b> <b>AMOUNT RECD. \$100.00</b>	
Type of Anhydrous Ammonia Operation <input checked="" type="checkbox"/> Retailer (\$100 fee) <input type="checkbox"/> Private (\$25 fee)		Number of Containers 1	
Size of Containers			
Tank 1 30,000 Gallons	Tank 2 Gallons	Tank 3 Gallons	Tank 4 Gallons
Tank 5 Gallons	Tank 6 Gallons	Tank 7 Gallons	Tank 8 Gallons
Signature of Applicant 			Date of Application

\* I have read Chapter 19-20.2 of North Dakota Century Code, Anhydrous Ammonia Facilities Law, and am familiar with the requirements associated with anhydrous in North Dakota.

**For County Commissioner Use Only**

Approved by County Board Chair	Date
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**For Department of Agriculture Use Only**

Approved by NDDA	Date	License Number
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Anhydrous Am. Lic



X = Proposed facility

GPS coordinates

46° 55' 15.2"

97° 33' 55.8"

Tank will be approx:

2156' from Town - West

1750' from nearest Residency west

200' from Railroad Tracks

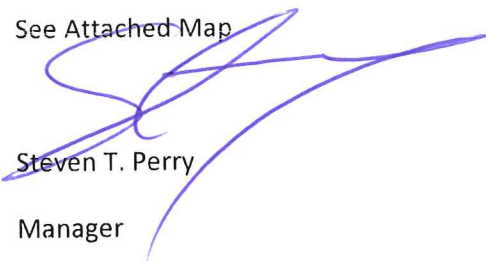
2450' from school West

June 27, 2014

To Whom it may Concern:

I, Steve Perry, Certify that the site for the new Arthur Companies, Buffalo, ND anhydrous Ammonia storage facility meets the requirements under North Dakota Century Code 19-20.2-05.

See Attached Map



Steven T. Perry

Manager

Arthur Companies

Buffalo, ND

