



March 1, 2022

CLEAN SUSTAINABLE ENERGY AUTHORITY  
NORTH DAKOTA INDUSTRIAL COMMISSION  
STATE CAPITAL-14<sup>TH</sup> FLOOR  
600 EAST BOULEVARD AVE. DEPT. 405  
BISMARCK, ND 58505-0840  
Sustainableenergy@nd.gov

**Subject: Transmittal Letter**

**Re: North Dakota Industrial Commission Clean Sustainability Authority Grant**

Dear Clean Sustainable Energy Authority,

AIC Energy Corp. dba SAFuels X is dedicated to bringing clean sustainable energy to the State of North Dakota.

As our project moves forward, we are honored to be working with all the local businesses, farmers, local governments, and trade unions to make North Dakota a world leader in clean sustainable energy.

If we are awarded all or part of our requested grant, we know we will help the State of North Dakota bring this goal to fruition. We also agree to accept and execute the contract between AIC Energy Corp. dba SAFuels X that is the requirement of the grant funding.

Most Respectfully,

A handwritten signature in black ink that reads "John F. Melk". The signature is written in a cursive, flowing style.

John F. Melk  
President/CEO

Cc: John D. Lee, General Counsel AIC Energy Corp

**Clean Sustainable Energy Authority**

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**North Dakota Industrial Commission**

## Application

Project Title: SAFuels X

Applicant: AIC Energy Corp

John F. Melk

Date of Application: 3/1/22

Amount of Request

Grant: \$10,000,000

Loan: \$25,000,000

Total Amount of Proposed Project:

\$357,000,000.00

Duration of Project: 2 years

Point of Contact (POC):

John F Melk- President/CEO

POC Telephone: 702-508-1909

POC Email: [directory@aicenergycorp.com](mailto:directory@aicenergycorp.com)

2840 S. Jones Blvd., Ste. 1

Las Vegas, NV 89146

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**NDIC/CSEA LOAN APPLICATION (CONFIDENTIAL)**

## Clean Sustainable Energy Authority Request for Confidentiality

A person or entity may file a request with the Commission to have material(s) designated as confidential. By law, the request is confidential. The request for confidentiality should be strictly limited to information that meets the criteria to be identified as trade secrets or commercial, financial, or proprietary information. The Commission shall examine the request and determine whether the information meets the criteria. Until such time as the Commission meets and reviews the request for confidentiality, the portions of the application for which confidentiality is being requested shall be held, on a provisional basis, as confidential.

If the confidentiality request is denied, the Commission shall notify the requester and the requester may ask for the return of the information and the request within 10 days of the notice. If no return is sought, the information and request are public record.

Note: Information wished to be considered as confidential should be placed in separate appendices along with the confidentiality request. The appendices must be clearly labeled as confidential. If you plan to request confidentiality for reports if the proposal is successful, a request must still be provided.

**Applicant:** AIC ENERGY CORP DBA SAFuels X

**Application Title:** NDIC CLEAN SUSTAINABLE ENERGY GRANT

1. A general description of the nature of the information sought to be protected.

All AIC Energy Corp dba SAFuel X financial including but limited to proposals, bids, and cost estimates provided by third party vendors to be held "Confidential". In the following Appendix:

**Appendix D Business Plan , Project Budget.**

2. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.
3. The biofuels industry is growing so rapidly, and the competitiveness of the designs are so new and innovative that we must hold extreme caution when publicizing this project. The value of these designs is extremely high, and the value lies within the specializing of the engineering & procurement that supports this new technology.
4. An explanation of why the information is not readily ascertainable by proper means by other persons.  
The method of refining our Sustainable Aviation Fuels and Diesel Fuels is utilizing proprietary engineered designs that were exclusively designed for AIC Energy Corp.
5. A general description of any person or entity that may obtain economic value from disclosure or use of the information, and how the person or entity may obtain this value.  
The economic value for any person or entity is from the specialized engineering of the refinery's equipment. These designs could be copied and used by anyone or entity to gain significant profits.
6. A description of the efforts used to maintain the secrecy of the information.  
AIC Energy Corp has executed Non-Disclosure Agreements in place with all of our vendors and clients.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
President/CEO

\_\_\_\_\_  
Title

\_\_\_\_\_  
March 1, 2022

\_\_\_\_\_  
Date

# 1 - ABSTRACT

## 1.1 Objective

**AIC Energy’s SAFuels X is seeking a grant of \$10 million from the Clean Sustainable Energy Agency and a loan commitment of \$25 million**

AIC Energy's objective is to obtain financial assistance from the North Dakota Industrial Commission Clean Sustainable Energy Authority (CSEA) to design, construct and operate a renewable fuels refinery. This renewable fuels facility will bring stable, well-paying jobs to a region of North Dakota impacted disproportionately by the decline in oil drilling post-Bakken oil boom and a slump in petroleum demand caused by the COVID-19 pandemic.

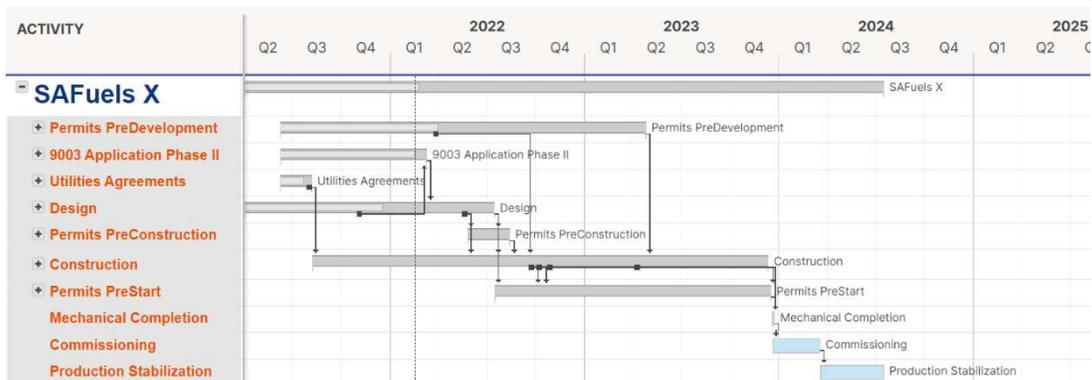
## 1.2 Expected Results

The renewable fuels facilities project will create 300 union-scale construction jobs, more than 100 long-term jobs, plus additional jobs for truckers, vendors, rail workers and suppliers. The local economy will expand to support the housing and subsistence of these vendors, workers, and families.

- The feedstock initially will be soy oil, and eventually canola as well. The plan is to source as much of the feedstock as possible from North Dakota suppliers.
- The impact on agriculture production will be significant and provide a long term, stable base price for producers.
- In train 1, the plant will produce 53 million gallons of renewable jet fuel per year, and 22 million gallons of renewable diesel.
- The project will utilize large amounts of locally sourced energy, including electricity and natural gas, promoting the expansion of these utilities to support the community, and using an under-utilized natural gas resource.
- SAFuels X will be blending locally sourced Bakken petroleum for our jet fuel final product. 53 million gallons per year of this North Dakota purchased petro jet fuel will be used.

## 1.3 Duration/Timeline

Two years construction period starting in 3rd Quarter 2022 with full production scheduled for the beginning of 2024. This refinery is expected to operate well beyond 30 years.



## 1.4 Total Project Cost

\$357,000,000.00 is the current project development cost. Please see Appendix D for full financial projections.

## 1.5 Budget

Project Associated Expense	Amount Spent to Date	NDIC Grant	NDIC Loan	Equity	Other Project Sponsor's Share	Total
Design Engineering for Hydrotreater Refinery Section	\$ 600,000.00	\$ 300,000.00	\$ -	\$ 300,000.00	\$ -	\$ 1,200,000.00
Design Engineering for Hydrogen Production Plant	\$ 700,000.00	\$ 250,000.00	\$ -	\$ 250,000.00	\$ -	\$ 1,200,000.00
Technology Licensing Fees for Hydrotreater Refinery Section	\$ 200,000.00	\$ 900,000.00	\$ -	\$ 900,000.00	\$ -	\$ 2,000,000.00
Technology Licensing Fees for Hydrogen Production Plant	\$ 110,000.00	\$ 82,500.00	\$ -	\$ 82,500.00	\$ -	\$ 275,000.00
Design Engineering for Pretreatment Process	\$ 165,000.00	\$ 82,500.00	\$ -	\$ 82,500.00	\$ -	\$ 330,000.00
Design Engineering for Waste Water Process	\$ 97,500.00	\$ 48,750.00	\$ -	\$ 48,750.00	\$ -	\$ 195,000.00
Engineering Advisement	\$ 1,591,910.42	\$ 450,000.00	\$ -	\$ 450,000.00	\$ -	\$ 2,491,910.42
Site Prep Engineering and Land Surveying	\$ 42,408.00	\$ 58,000.00	\$ -	\$ 58,000.00	\$ -	\$ 158,408.00
Detailed Facility Design Engineering	\$ -	\$ 7,828,250.00	\$ -	\$ 7,828,250.00	\$ -	\$ 15,656,500.00
Operation Fund for Project Administration	\$ 2,257,300.00	\$ -	\$ 10,000,000.00	\$ 10,000,000.00	\$ -	\$ 22,257,300.00
Procurement and Fabrication of Equipment for Hydrogen Plant	\$ -	\$ -	\$ 15,000,000.00	\$ 15,000,000.00	\$ 25,976,000.00	\$ 55,976,000.00
Other Project Costs (Including Land Purchase)	\$ 5,224,064.63	\$ -	\$ -	\$ 26,011,816.95	\$ 224,024,000.00	\$ 255,259,881.58
<b>Total Costs</b>	<b>\$ 10,988,183.05</b>	<b>\$ 10,000,000.00</b>	<b>\$ 25,000,000.00</b>	<b>\$ 61,011,816.95</b>	<b>\$ 250,000,000.00</b>	<b>\$ 357,000,000.00</b>

The table above illustrates the costs that is being requested to be funded by the CSEA grant and loan. Each of these costs will be matched by AIC Energy Corp at a 50/50 match or greater. The requested costs include design engineering and technology licensing fees that are part of the project's capital costs. The remaining costs for the project will be covered by a combination of the applicant's equity and a long-term loan. The requested items are based on contracts and best estimates at the status of the project. A more detailed line item of the budget as well as assumptions made in the budget can be found in Appendix D.

It is important to note: *Mandated sales are sales that the Administration places on DOD/DLA to buy a prescribed percentage of total aviation fuels as Sustainable. Congress is in the process of implementing these policies as law, requiring 10% of DLA fuel purchases be Sustainable Aviation Fuel (SAF). Commercial buyers, in order to be able to meet sustainable fuel goals, are doing the same. These mandated sales, along with the small business set-asides described herein will allow SAFX to sell our product at a cost-plus negotiated rate. It is well established that SAF costs more to manufacture than petro jet fuel. If SAF sales prices were based on parity with petro jet, none would be sold. The renewable fuels market is not "rational" now, nor expected to be in the near future. Federal and state governments renewable fuel programs are intended to help renewable fuels be cost competitive with petroleum-based fuels, to encourage use beyond specified mandates. California, Washington, and Oregon have active programs and significant demand already exist in those markets. Minnesota and the New England/New York and others states are still in the development stage, and are expected to create additional demand.*

The clean energy funding program is a vital component in assisting AIC in meeting its financial goal. AIC is optimistic about meeting its financial objectives. These funds will enhance our abilities to leverage additional funding. The funds are vital to keep the project on schedule but if less funds are awarded the project will continue to move forward.

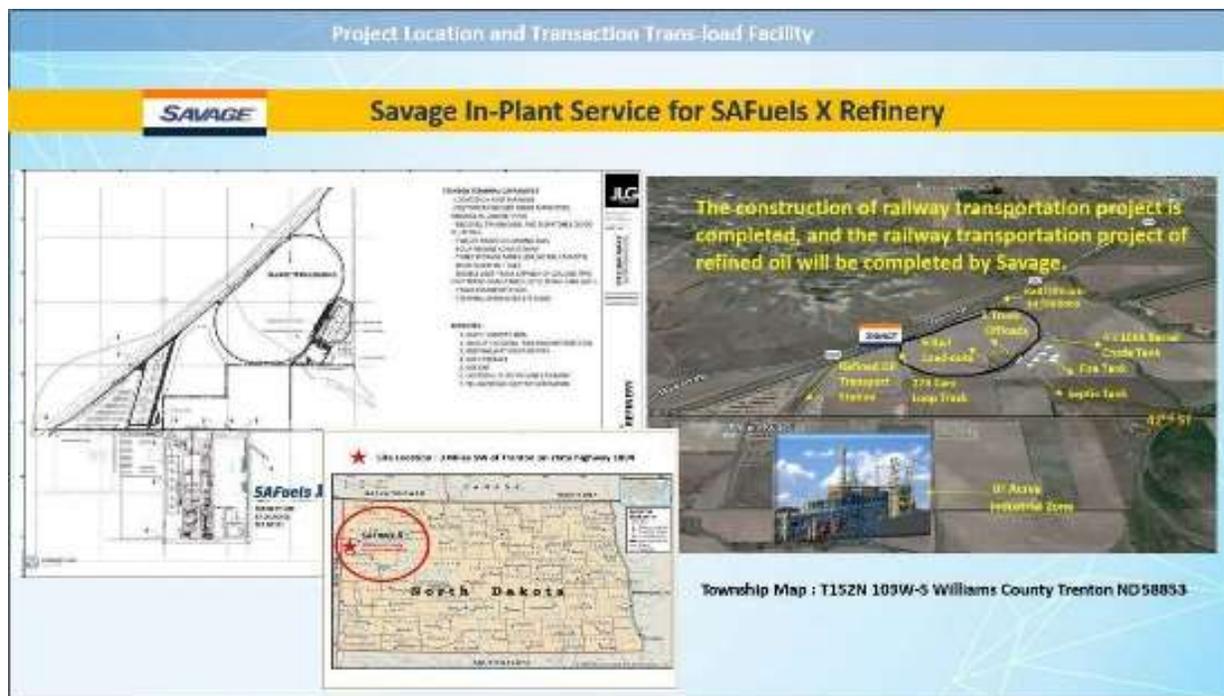
## 1.6 Participants

AIC Energy Corp is the sole owner of the SAFuels X Trenton SAF renewable fuels facilities. AIC Energy Corp is a majority owned Native American/minority small business, led by John F. Melk a North Dakota Native American federally enrolled at the Turtle Mountain Band of Chippewa Indians, Belcourt, ND. AIC Energy Corp. has committed to partnering with all local producers, energy companies, engineering firms, and employment agencies to build and staff this refinery. AIC Energy Corp has agreed to utilize a Project Labor Agreement (PLA) to build the SAFX facility in northwestern North Dakota. The North Dakota State Building Trades Unions have committed to work with AIC to construct this SAFuels X to the highest construction standards required for such needed infrastructure.

## 2 - PROJECT DESCRIPTION

### 2.1 Detailed Description

The renewable fuels facilities owned and located on an 87 + acre site southwest of Trenton, N.D. The site is adjacent to Savage Services Trenton Rail Port and has access to sufficient water, power, and natural gas service to provide for a production facility of this size. Permitting is well under way, and AIC has received a Findings of No Significant Impact (FONSI) letter issued by the United States Department of Agriculture (USDA) in October 2021.



### 2.2 Objectives

AIC Energy Corp is seeking to obtain funding for a renewable fuel facility capable of refining approximately 100 million gallons per year of crude soybean or canola oil. The primary product produced at the SAFuels X facility is anticipated to be renewable jet fuel, which will be blended with petroleum (mineral) jet fuel to produce Sustainable Aviation Fuel (SAF). Secondary products produced at the facility will be renewable diesel and renewable naphtha. Both SAF and renewable diesel are "drop in" replacements for their mineral based counterparts. However, the fuels produced at the SAFuels X facility will have a lower carbon intensity.

### 2.3 Methodology

AIC Energy Corp is the developer for this project. Roger Grimes, P.E., who has over 40 years of experience as both a consulting engineer and as a project engineer for military projects. Mr. Grimes reports directly to AIC Energy Corp CEO John Melk.

Technical consultants for technology, engineering, design, permitting, fabricators, construction management and operations have, and will continue, to be retained as necessary all under the direction of Mr. Grimes. Keitu Engineers & Consultants, Inc. (Keitu) of Mandan, ND was the first firm added to supplement the AIC project team. Their familiarity with the industry, both petroleum and renewable fuels, in

North Dakota was a key consideration to perform the initial project assessment and renewable fuels production plant feasibility study. Involved with over 30 pipeline project applications to the ND Public Service Commission, their intimate knowledge of the state's infrastructure paired with their knowledge of the existing players in the state allowed for a complete and thorough assessment of the needs and challenges ahead of the project.

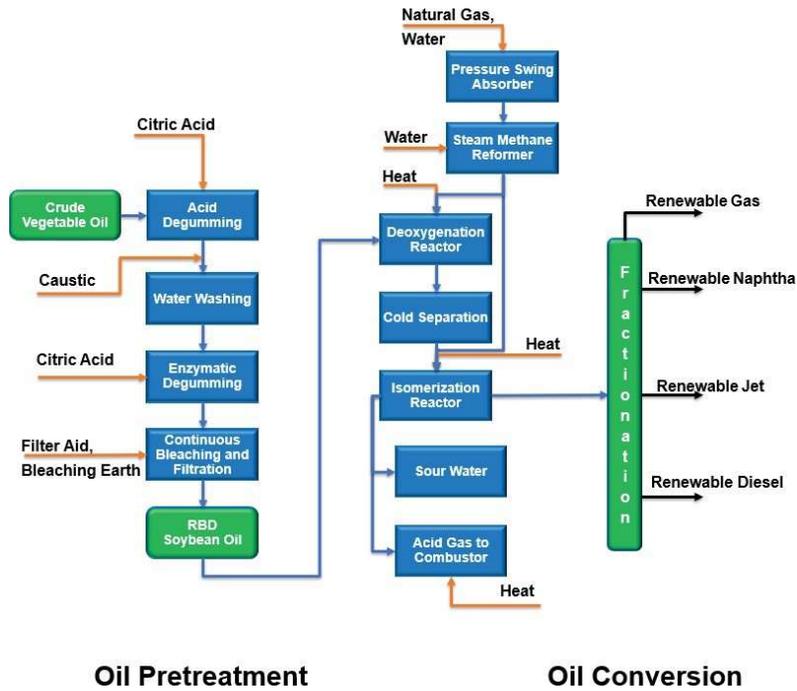
Keitu vetted process design-focused firms with an emphasis to companies with prior design experience with renewable fuels as well as a first-hand understanding of the challenges a North Dakota operation will be expected to deal with. The search ended with the selection of a firm with prior renewable fuels design experience with multiple renewable technology providers, Richard Design Services, Inc., as well as their prior construction experience on the Hess Tioga Gas Plant Expansion Project.

With the assistance of RDS, eight technology vendors were evaluated for the project. Two vegetable oil pre-treatment equipment providers (Crown Iron and Alfa-Laval) and two renewable fuels production technology vendors (Honeywell and Haldor-Topsoe) were asked to make in-person presentations and answer questions with the AIC management team.

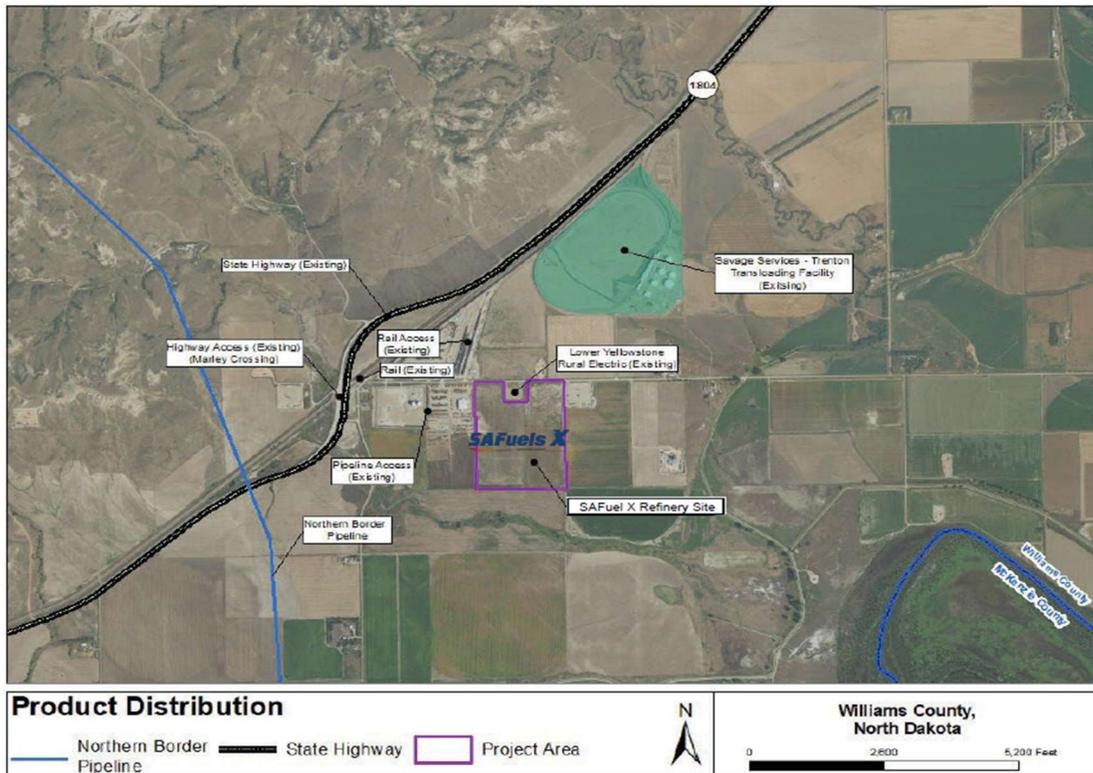
After significant follow-up with each of the vendors, Alfa-Laval, Inc. (oil pre-treatment) and Haldor-Topsoe Inc. (hydrogen plant and hydro-processing technology) were selected. It is note worthy that the SAFuels X plant, unlike the Marathon Dickinson Renewable Fuels Plant, will have the ability to pre-treat on site vegetable oil from its raw/crude form. The equipment will also be suitable to process either soybean oil or canola oil. This pro-active approach to risk management is especially critical in the near term with the looming shortage of vegetable oil feedstock.

The installation of "switch-operation" equipment is also strategic. While plant will be situated in the heart of North America's canola growing region, renewable fuel credits are not yet available for canola as a feedstock. The plant will begin operation on soybean oil, but with the planned "switch-operation" pre-treatment equipment installed even for the very first process train, conversion to the locally available canola (sometimes referred to as rapeseed) will be practically seamless. With the ability to process either soybeans or canola, the operation will enjoy a feedstock flexibility not commonly found in the industry.

Like the Marathon Dickinson Renewable Fuels Plant, the SAFuels X production will use Haldor-Topsoe proprietary technology, the process configuration will differ because the operation will focus on jet fuel production. An additional "dewaxing" reactor and larger recycle handling equipment will allow direct control of the product endpoint to meet a more extreme jet fuel freeze point specification. The higher naphtha yields from jet fuel production justifies a naphtha splitter tower to offer more flexibility in use and/or product sales.



Engineering design began in earnest in July 2021 with focus on process engineering design, most notably the mass & energy balances (M&EB). Alfa-Laval, Inc. (oil pre-treatment), Haldor-Topsoe, Inc. (hydrogen plant and hydro-processing technology) were each engaged to lead the process design for their respective technologies. ENGlobal (OSBL facilities and process integration) and Alfa-Laval, Inc. (wastewater treating) are proceeding on process support facilities. Interstate Engineering continues in the role for site preparations and land easement support. JLG Architects is designing the offices, warehouse, on-site laboratory, and fire station. Savage Services maintains its role as the logistical service and rail access provider. Keitu has been tasked with securing the necessary construction and operational permits for the site, and eventual operation as well as obtaining easements and connections for the off-site utilities.



- The Lower Yellowstone Rural Electrical Cooperative (LYREC) substation is adjacent to the site.

Their power is largely supplied by Western Area Power Association (WAPA) and their system of hydro-electric generation facilities on the Missouri River. Access to renewable electrical energy improves the Carbon Intensity Index score associated with the SAFX operation.

- The Northern Border natural gas transmission pipeline is located less than 1 mile west of the site. However, a Williston Basin Interstate (WBI) Pipeline’s Charbonneau Station connection is a better option, saving nearly \$8,500 per day of tariff costs from the Northern Border Pipeline.
- In addition to oil seed and natural gas, water is the third major feedstock for the fuels complex. AIC has already signed a letter of intent with an existing industrial water supplier. An optional second industrial source less is less than a mile away. Discussions are already in progress with apparent willing landowners to secure a 5-mile-long easement to the Missouri River to install two underground water pipelines, one for raw river water and a separate discharge line for treated process water.
- A separate easement has been provided for clean stormwater drainage to Sixmile Creek located approximately ¼ mile south of the site. This easement has been finalized and recorded.



**SAFuels X Project MAJOR PERMIT STATUS**

December 3, 2021

#	Status	Project / Task	Description	Date Completed
1	COMPLETED	ND State Historic Preservation Office SHPO Concurrence Letter(s)	Class I (i.e. record search) and Class III (i.e. field survey) to be completed to assure no cultural resources would be impacted	1/28/2021
2	COMPLETED	NEPA FONSI Letter "Finding of No Significant Impact"	NEPA Environmental Assessment (EA) study complete. Final EA submitted 6/15/2021. Finding of No Significant Impact letter issued. USDA staff sent FONSI for USDA Administrator's signature. FONSI letter Received.	10/7/2021
3	35% Completed	ND Air Emission Permit <small>11/04/2021 SAFuelsX received permit eligibility letter.</small>	11/4/2021 SAFuelsX Received Permit Eligibility Letter	TBD
4	COMPLETED	Zone Change Application	Prior "industrial" zoning designation updated to "heavy industrial" by Williams County Commission	6/1/2021
5	COMPLETED	Use Permit Williams County ND	LU-00053-21 issued	6/1/2021
6	COMPLETED	Raw Water Intake	Two existing industrial water suppliers in area have adequate volumes available. Will purchase raw water from one or both of existing suppliers. Existing Permit Has Sufficient Volume	7/15/2021
7	35% Completed	NPDES Wastewater Discharge Permit	We have met with the ND Department of Environmental Quality and they Believe we are on the right path. Waiting on Mass and Energy balance before prepare the application.	TBD



Both remaining major permit applications are under way now that the integrated heat and material balance has been provided by the design team. These applications and review processes will likely take 9-12 months to yield permits issued.

Multiple mass & energy balances (M&EB) have been prepared to represent different modes of operation and product “campaigns”. As mentioned previously, a specific period of operation with focus on renewable jet fuel production (i.e., a “campaign”) will produce a different, higher yield of naphtha compared to a renewable diesel campaign. Support facilities, including water use and wastewater treating, need to be sized for both types of operations. And the air emission permit application also needs to be adjusted, accordingly.

For the immediate future, project spend will continue securing the necessary site and operational permits and finalizing easements. Some limited construction is expected to begin in the 2<sup>nd</sup> quarter of 2022 including the administration and warehouse building as well as site de-grubbing, and civilwork / site grading and preliminary utility connections. At least 2 abandoned in place pipelines remain at the site. Only a limited amount of site preparation can occur until the DEQ issues an air emission permit/permit to construct.

Engineering design has begun in earnest and will be the focus of project spend over the next 6 months. ENGlobal Corporation has been engaged to perform the final detailed design and direct procurement of equipment and supplies and refinery construction as detail engineering is completed. ENGlobal will be asked to provide a guaranteed maximum price after they have had an opportunity to review and bid the final detailed designs and specifications.

The Engineering Procurement and Construction (EPC) firm also serves in the role of master scheduler. As master scheduler, they will develop a project schedule with major milestones. As minor milestones are identified, the master schedule will be updated. If the critical path timeline changes, the EPC will allocate resources to mitigate delays. But major aspects of the design, bid, construction, and operation of the plant will remain under the direction of AIC Energy Corp personnel. AIC will retain primary responsibility for the ultimate production performance of the facility.

A contractor for commissioning, start-up, and operations will be selected based on qualifications and expected “Best Value” during the engineering phase. This approach will allow the selected party to be involved with the engineering design as a project partner. A request for qualifications has been sent to entities AIC believes capable of performing the scope of work within budget and schedule, with demonstrated experience building and operating renewable fuels refineries. These qualifications are being reviewed and a selection will be made soon. The selected firm will perform the hiring of the full time refinery staff for AIC. *They will be instructed to hire local and regional skilled staff to the fullest extent possible.*

As detailed engineering is not yet complete, a detailed procurement schedule with costs and expected delivery dates does not yet exist. Major pressure vessel design will be prioritized and likely their competitive bidding process/contract will award June 2022. A complete and final procurement schedule including other vessels, exchangers, pumps and associated equipment should be detailed around October 2022.

### **2.3.1 Economic Impacts**

The renewable fuels facilities project will create 300 union-scale construction jobs, more than 100 long-term jobs, plus additional jobs for truckers, vendors, rail workers and suppliers. The feedstock initially will be soy oil, and eventually canola as well. The plant will produce 53 million gallons renewable jet fuel per year. The plan is to source as much of the feedstock as possible from North Dakota suppliers. The impact on agriculture production will be significant and provide a stable base price for producers.

AIC submits for consideration that we expect to make a major economic impact on the communities of North Dakota and the immediate region. This will happen during design, construction, and throughout the many years of plant operation. Millions were spent when the property was acquired from local parties. Architectural and engineering design is underway through local companies such as JLG Architects, Interstate Engineers, Keitu Engineers, and other North Dakota companies. Construction work will be bid locally for major portions of the work such as: millions for site grading; metal building erection; miles of water pipeline; miles of natural gas pipeline; office, warehouse, and fire station fit-out.

AIC had to go outside North Dakota to find a construction contractor with experience in building a major renewable fuel refinery. It would be irresponsible to use anyone without this level of demonstrated experience. The lenders and the Federal Government guarantor USDA would not support our project otherwise. AIC has, however mandated the use of North Dakota’s Union signatory shops for all trades constructing the project! All of the multi million dollar construction labor payroll will be paid to North

Dakota businesses and employees. This applies as well to the labor who will operate the refinery for years to come. Starting with 76 good paying, Union scale jobs eventually growing to well over a hundred employees, the payroll will have a huge impact on the local economy, including the trickle-down to all of the small businesses that support the families of these workers. They will live and work in the local communities.

AIC is pleased you have recognized the millions of dollars of stable income this will bring to the ag producers in North Dakota. This is another major contribution that will be made.

***AIC projects an annual material and salary contribution to the local North Dakota economy of \$515 million per year.***

Every attempt was made to obtain local lead lender support before going outside of North Dakota. The response received was that this project was simply too large for these commercial banks to support by arranging participant banks. While we are still in discussions with other commercial local ND banks, we could not move forward without lender support. AIC tried locally first! Our current depository bank, which we write all of our checks from is a local North Dakota bank.

Please consider, as well the State and Local taxes that will be paid from the construction and operations of this refinery. SAFuels X will be a good citizen helping the Government provide and developing the services so badly needed in this community.

Lastly, please consider the profound impact this grant would have on AIC's ability to continue the fast pace and challenging schedule we are attempting. These funds will allow us to continue the progress of detailed design in so many areas, from refinery, to sitework, to water pipelines and more. Award of funds from this grant application would send a strong signal to equity investors that the State of North Dakota supports this project and is willing to help us move forward with strong backing.

## **2.4 Facilities**

SAFuels X project renewable fuels facilities is owned and will occupy 87+ acres, located on Highway 1804, 3 miles southwest of Trenton, North Dakota.

- The site is zoned as "heavy industrial," is adjacent to Savage Services Trenton Rail port, and has access to sufficient water, power, and natural gas service to provide for a production facility of this size.
- The site is suitable for construction due to the proximity of nearby rail access, electrical and natural gas tie-ins, raw water sourced within the vicinity, and accessibility of automotive vehicles.
- A key strategic partner is Savage Industries who has an existing rail terminal system to load and unload products and equipment.
- There is an electrical substation directly adjacent to the project location with the capacity to start operations and add additional bays if expansion is needed.
- A natural gas pipeline runs adjacent to the facility which could act as a tie in to power the plant's steam methane reformer, boilers, and other operational equipment pieces.
- Water will be sourced from the Missouri River permitted for industrial use.

## **2.5 Resources**

The current majority ownership of common stock in AIC Energy Corp is held by John F. Melk and Renee L. Melk. The Melk's own 51.26% of the current issued and outstanding stock. The balance of

stock is held by other individual investors or trusts. AIC Energy Corp is the sole owner of the SAFuels X Trenton Sustainable Aviation Fuels Plant.

AIC Energy Corp is a majority owned Native American/minority small business, led by John F. Melk a North Dakota Native American federally enrolled at the Turtle Mountain Band of Chippewa Indians, Belcourt, ND. AIC Energy Corp has raised \$63 million in equity capital and secured a lead lender, Greater Commercial Lending to utilize the 9003 USDA loan guarantee. AIC Energy has agreements in place with Missouri Stone Water and Lower Yellowstone Electric Coop, as well as agreement from Bartlett Gran regional feedstock provider, Rainbow Gas, WBI and Savage Services. Offtake agreements are currently in review with Chevron, Jet Blue, and True Oil.

## **2.6 Techniques to Be Used, Their Availability and Capability**

AIC Energy Corp techniques to be used are the entities in Appendix D Business Plan. AIC has built a team that is addressing all the needs and risks of the development of this plant. Their capabilities include:

- Demonstrated experience with renewable energy projects
- Full understanding and industry recognition in renewable energy economic incentives and demand
- Permitting and advisory services related to environmental, energy and regulatory issues
- Design construction experience in renewable and clean energy refinery projects world wide
- Innovative and creative technology proven world wide
- Experienced refinery commissioning, start-up, maintenance and operations.

## **2.7 Environmental and Economic Impacts while Project is Underway**

A comprehensive study of the environmental and economic impact was completed under direction of our lead engineering firm Keitu Engineers & Consultants, Inc, Mandan North Dakota. USDA reviewed the environmental assessments conducted by Keitu Engineers & Consultants, Inc and issued a letter of Finding of No Significant Impact (FONSI) in October 2021.

## **2.8 Ultimate Technological and Economic Impacts**

The Ultimate Technological impact of the renewable fuels facility will be to have commercially implemented new and innovative processes and equipment that will be used to refine Sustainable Aviation and Renewable Diesel Fuels. SAFuels X economic impact analysis shows a significant impact on the 4-county regional economy. That is, for every job created at the SAFuels X refinery 4.85 additional jobs will be created in the local economy and for every dollar of earnings at SAFuels X refinery an additional \$2.51 of earnings will be created in the local economy. The renewable fuels facility project will create more than 300 union-scale construction jobs, more than 100 long-term jobs well-paying jobs, plus additional jobs for truckers, vendors, rail workers and suppliers.

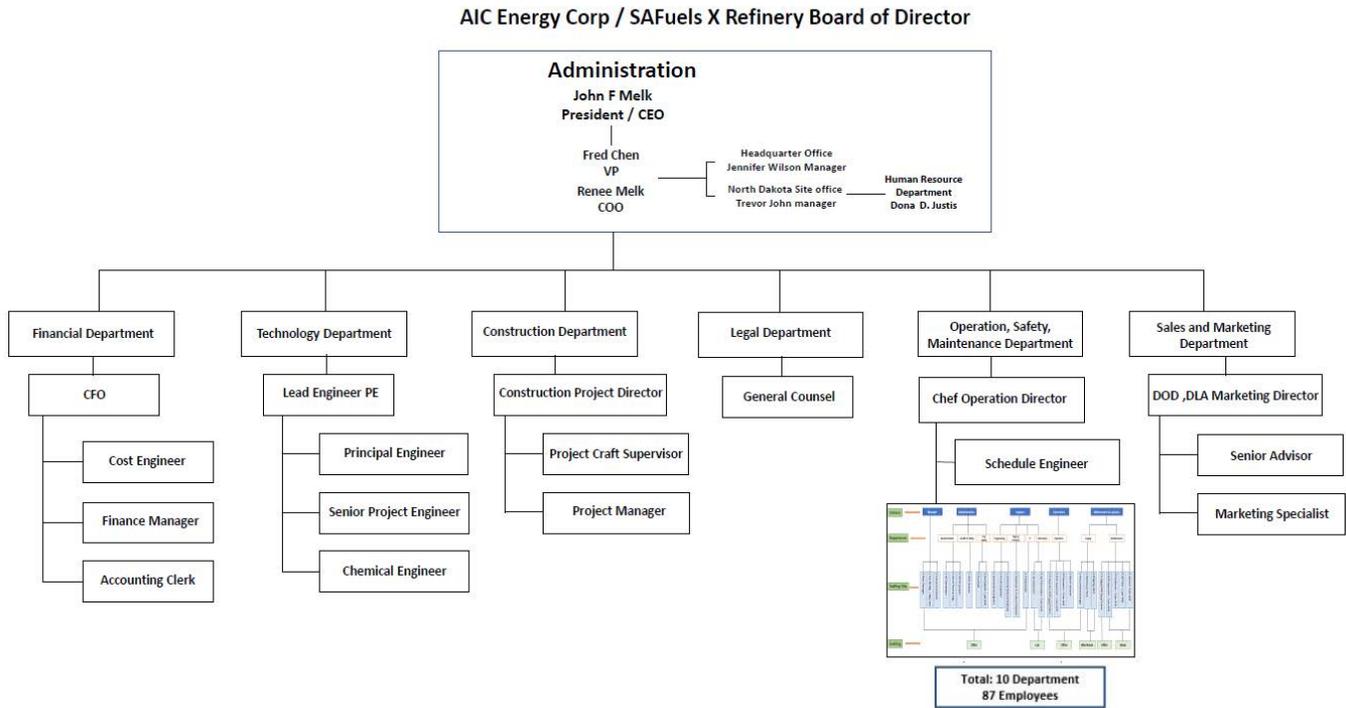
## **2.9 Why the Project is Needed**

The project is needed to meet the demand of Sustainable Aviation Fuels and to protect the environment. Airlines, airplane manufacturers, and governments are committed to lowering the carbon emissions of aviation. An example of this commitment is a bill in Congress that will require the US Government to source 10% of their aviation fuel purchased as Sustainable Aviation Fuel, by the year 2023. This renewable fuels facilities project is also needed to strengthen the local economy by utilizing local agriculture products, provide a better quality of life for workers and families, and to build on local assets.

### 3 - MANAGEMENT

#### 3.1 Corporate and Project Management

AIC Energy Corp’s corporate and project management teams are exceptionally experienced and capable in all aspects of the business including designing, engineering, permitting, operations and sales to DOD and commercial customers. Our Business Plan includes biographies for AIC Energy Corp’s executive team. Professionals from ENGlobal, RDS, Keitu Engineers & Consultants, Inc., and Process Technical Services supplement the AIC’s experience in several key areas of the project.



#### 3.2 Engineering and Construction Support

- ENGlobal

ENGlobal Corporation (ENGlobal) is an engineering, fabrication, and automation company that has experience working with Haldor Topsoe on multiple recent renewable energy projects. ENGlobal recently worked with Haldor-Topsoe on a newly constructed renewable fuels facilities in Hugoton, KS, and was recommended by them for the SAFuels X refinery project. Additionally, ENGlobal has experience in engineering and fabrication of the modular steam methane reformer.

ENGlobal has the following collaboration agreements with Haldor Topsoe.

- Haldor Topsoe Convection Reformer Hydrogen technology
- Haldor Topsoe Bayonet Reformer Hydrogen technology
- Haldor Topsoe Auto Thermal Reformer
- Renewable Fuel and Biofuel Hydroprocessing HydroFlex technology

ENGlobal is vertically integrated and capable of fabricating modular equipment and piping systems as

well as control and power systems. They also specialize in automation, instrumentation and electrical integration, construction management, facility start up and training, and procurement of infrastructure.

- **Keitu Engineers and Consultants, Inc.**

Keitu Engineers & Consultants, Inc was formed in 2001 by two North Dakota native engineers returning to the state with decades of experience to provide service to commercial and industrial clients in the Williston Basin region of the United States. As a boutique consulting firm, they strive to provide exceptional service a limited area of practice focusing on oil, gas and refined fuels as well as the utilities necessary for their operation. Based in Mandan, ND their staff is just minutes away from state and regional offices of regulatory agencies.

Keitu currently employs 11 professionals and technical support staff. Its local experience and contacts translate into expedited project timelines. While its emphasis continues to be environmental science & engineering, regulatory affairs (permitting / reporting), industrial health & safety, process safety, emergency preparedness and response, a growing practice in value/cost engineering and feasibility studies as well as ESG assessment and data management updates its services for the process, petroleum and renewable fuels industry and the utilities necessary for their operations.

Keitu has licensed chemical, civil, electrical, and mechanical engineers. Other staff completed their degrees as environmental or cost/value engineers. Their other staff include environmental and health and safety with certified safety professionals, wetland delineators, archeologists, environmental science, wildlife and/or plant biologists as well as industrial hygienists.

- **Process Technical Services, Inc.**

AIC intends to eventually operate the SAFuels X facility after startup and the initial phase of operation is over. However, process plant start-up experience is a specialized skill set, therefore AIC plans to supplement that skill set with a third-party contractor. This contractor will be engaged for a limited time and will be responsible for the operations, maintenance, and safety of the site from commissioning until the process unit operations have been stabilized. In addition to start-up operations, the third-party contractor will assist AIC in the hiring, advising, and training of refinery staff. The contractor will work with the existing technology vendors, engineering contractors, and AIC staff to develop operating, maintenance, and safety plans and procedures for the facility.

These responsibilities are currently being negotiated with Process Technical Services. Founded in 1987, Process Technical Services, Inc. (PTS) offers services internationally in 25 countries. Some of the companies PTS provides services to are in the petrochemical, chemical, refining, oil and gas exploration, gas processing, LNG, gas to liquids, and biodiesel refining industries. Major services offered are:

- |                      |                    |                     |
|----------------------|--------------------|---------------------|
| • Pre-commissioning  | • Commissioning    | • Startup           |
| • Plant Operations   | • Staffing         | • Procedure Writing |
| • Equipment Sourcing | • QA/QC Inspection | • Training Programs |

PTS has an average of 300 workers on staff. Their staff include engineers, managers, supervisors, operators, mechanical and IE&C technicians. Additional engineering and consulting companies shown on the project team organizational chart in AIC's Business Plan will provide design, permitting and advisory services related to environmental, energy and regulatory issues.

***PTS, ENGlobal, experienced SAFX full time plant managers, and the in-house AIC engineering and fiscal staff are the refinery qualified team who will run this operation from design to long term success.***

### 3.3 Technology Providers

- **Haldor Topsoe**

Haldor Topsoe is a Danish company founded in 1940 by Haldor Topsøe (1913–2013). The company has approximately 2,200 employees, of which 1,500 work in Denmark. Haldor Topsoe specializes in carbon reduction technologies. This includes proprietary Solid Oxide Electrolyze Cell (SOEC) high-temperature electrolysis technology, the production of heterogeneous catalysts and the design of process plants based on catalytic processes. Focus areas include hard-to-abate sectors such as heavy industry (steel and iron, chemicals, cement), long-haul transportation (aviation, shipping, trucking) and clean fuels (bio-diesel and ultra-low-sulfur diesel (ULSD)).

Haldor Topsoe is one of the world's leading companies within the field of heterogeneous catalysis, and over 50 per cent of the ammonia used for fertilizer on a worldwide scale is made with the help of technology from Haldor Topsoe.

The headquarters and main research labs are located in Lyngby, a northern suburb of Copenhagen, Denmark, manufacturing of catalysts is carried out in Frederikssund, Denmark and Bayport Industrial District in the United States. The company has offices in Argentina, Australia, Bahrain, Brazil, Canada, China, India, Indonesia, Iran, Malaysia, Mexico, Russia, Saudi Arabia and the United States. Haldor Topsoe's catalysts and technologies are used for converting renewable feedstocks such as renewable electricity and waste or hydrocarbon feedstocks such as natural gas into ammonia, hydrogen, diesel and methanol.

Other main business areas are to clean oil and ensure more environmentally friendly fuels, cleaning industry flue gases, and reducing emissions from industry. In chemical plants catalysts and processes optimize resources, ensuring highly efficient energy processes.

- **Alfa Laval**

Alfa Laval is a leading global provider of first-rate products in the areas of heat transfer, separation, and fluid handling. With these as its base, Alfa Laval aims to help enhance the productivity and competitiveness of its customers in various industries throughout the world. We define their challenges and deliver sustainable products and solutions that meet their requirements – mainly in energy, the environment, food, and the marine industry.

Alfa Laval works to optimize the use of natural resources in both our own and our customers' operations. As part of this commitment, we continuously work to reduce our energy and water use, decrease carbon emissions as well as improve our waste management processes in our production and service operations. The Alfa Laval Group has five environmental targets towards 2020. These are to reduce energy and water consumption, decrease carbon emissions, eliminate banned chemicals, and increase waste recycling.

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#### **4 – STATE PROGRAMS AND INCENTIVES**

*Any programs or incentives from the State that the applicant has participated in within the last five years should be listed below, along with the timeframe and value.*

- APUC GRANT \$212,000.00. Awarded February 2021.
- APUC GRANT \$60,000.00. Awarded November 2021.

**APPENDIX A - TAX LIABILITY STATEMENT**

**Industrial Commission Tax Liability Statement**

**Applicant:**

AIC ENERGY CORP.  
JOHN F. MELK  
2840 S. JONES BLVD. STE. 1  
LAS VEGAS, NV. 89146

**Application Title:**

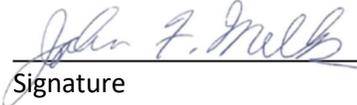
NORTH DAKOTA INDUSTRIAL COMMISSION CLEAN SUSTAINABLE ENERGY GRANT

**Program:**

- Lignite Research, Development and Marketing Program
- Renewable Energy Program
- Oil & Gas Research Program
- Clean Sustainable Energy Authority

**Certification:**

I hereby certify that the applicant listed above does not have any outstanding tax liability owed to the State of North Dakota or any of its political subdivisions.

  
\_\_\_\_\_  
Signature

PRESIDENT/CEO  
\_\_\_\_\_  
Title

3/1/2022  
\_\_\_\_\_  
Date

**APPENDIX B - GOVERNMENT LETTERS OF SUPPORT**



## NORTH DAKOTA STATE BUILDING AND CONSTRUCTION TRADES COUNCIL

2901 Twin City Dr. Suite 201  
Mandan, North Dakota 58554  
(701) 663-8821

February 24, 2022

Clean Sustainable Energy Authority  
North Dakota Industrial Commission  
600 East Boulevard Ave, Dept 405  
Bismarck, ND 58505-0840

Attention: Mr. Alan Anderson, Clean Sustainable Energy Authority  
Mr. Kelvin Hullet, Bank of North Dakota

As President of the North Dakota's Building Trades Unions (NDBTU) it is with great pleasure that I provide a Letter of Support for AIC Energy Corporation (AIC) as a part of their application to the Clean Sustainable Energy Authority. The NDBTU are excited to partner with AIC to construct this Sustainable Aviation Fuels and Renewable Diesel Refinery to the highest professional construction standards required for such needed infrastructure.

The North Dakota State Building Trades Unions is comprised of fifteen Labor Organizations with over 2,400 union members that reside in the state. Our members work all aspects of construction, commercial and industrial, serving such industries as electrical generation, energy refining and transmission, and agriculture enhanced products. From foundation to finish, our members have been constructing the infrastructure needs of the state for decades.

Additionally, through our Registered Apprenticeship Programs and Journey Worker Continuing Education Programs, we have the means to train and educate new and existing members with the gold-standard of construction trades skills-training. Through these programs, we are assisting with the workforce development challenge of the state to the highest quality while ensuring safety and efficiency for future generations of North Dakotans.

Approval by the CSEA of the AIC application helps support this next-level energy generation refinery for North Dakota. It will provide jobs for our members to work on, bringing tangible benefits to their families and communities across the state. Our members stand ready to go to work and humbly ask for approval of this application.

Sincerely,

Jason Ehlert  
President



September 9, 2021

John Melk, President/CEO  
AIC Energy Corp.  
2840 S. Jones Blvd., Ste. 1  
Las Vegas, NV 89146

Dear John,

The North Dakota Department of Commerce supports your plan to build a state-of-the-art renewable diesel and sustainable aviation fuel refinery in North Dakota. Commerce is the lead economic development agency in North Dakota and serves as coordinator and conduit to other agencies, financing and incentive programs. Your project is especially attractive to our State because it benefits both the energy and agriculture sectors and positively impacts transportation.

There are numerous programs for which you are eligible to apply, and our team of specialists will assist you in navigating through those programs.

- As Director of the North Dakota Economic and Finance Division, I manage the ND Development Fund which can assist you with debt, equity, and convertible financing instruments.
- The Bank of North Dakota, a key partner in our development efforts, could partner with your lead lender up to seventy-five million dollars with an additional program to buy down the interest rate.

The State has added several other programs to encourage renewable energy development and agricultural diversification programs.

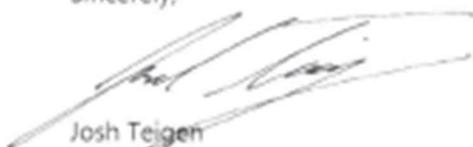
- The ND State Investment Board has contracted with 50 South Capital, a Chicago based investment firm, to invest up to \$10 million in qualified deals.
- The ND Clean Sustainable Energy Authority can provide loan funding and some grant funding, for clean and sustainable energy projects.
- The ND Agriculture Diversification and Development Fund is a new program administered by the ND Department of Agriculture. Your project is likely eligible for funding under this program, though it is limited to two and half million in project funding.

1600 E Century Avenue, Suite 6 | P.O. Box 2057 | Bismarck, ND 58502

PHONE: 701-328-5300 | TOLL FREE: 1-866-4DAKOTA | ND RELAY TTY: 1-800-366-6888 | VOICE: 1-800-366-6889 |  
NDCommerce.com

We look forward to assisting you in this very important project. It promises to have positive impact on the North Dakota Economy. My team and I are ready to assist you with whatever you may need along the way.

Sincerely,



Josh Teigen  
Director, Economic Development & Finance Division  
ND Department of Commerce

jml



January 10, 2020

AIC Energy Corp.  
2840 South Jones, Suite 1  
Las Vegas, NV 89146

Ladies/Gentlemen!

Thank you for your very gracious invitation to write a letter of support for your exciting bio-fuels project in Trenton, North Dakota. Since we became acquainted nearly four years ago, you have involved Rural Development throughout your planning, keeping us well-informed of your steady progress along the way. You have provided us with extensive documentation of your organization, its capabilities, alliances, personnel and objectives. You have shown us the courtesy of sharing your voluminous design documents with us, which are most impressive. We have also had the pleasure of meeting many team members, like John Melk, his wife Snow, and Steve Sanders, who are brilliant and marvelous people, who inspire deep respect and confidence. Having had the benefit of this close relationship, it is easy for us to continue to support this project. As questions have arisen or as needs have become evident, we have tried to assist when requested and will continue to do so in the future.

This is a very important and high-profile project to USDA/Rural Development, and we have been following the progress of your team very closely with high expectation. The site chosen for the refinery is perfectly suited for it, with direct access to everything necessary for its operation, including water, power, rail, oil supply and feedstock. Given the high degree of professionalism and the expertise displayed, there is every reason to anticipate success for the company and great advantages for the State of North Dakota.

The new Bakken bio-fuels refinery would provide substantial public and financial benefits to this region and beyond. These benefits would include:

- "Bio" fuel or feedstock usage from local farming/agriculture or renewable sources;
- Sustainable usages like - waste heat reuse for agricultural applications;
- Other energy sustainable products - combined heating/cooling plants, etc.;
- Construction staff of 200 skilled construction staff for approximately 12 months;

- Long term job opportunities for approximate 50 to 100 residents; and
- Training and Occupational education opportunities in the energy, industrial and controls markets.

AIC Energy's proposed plan to build a bio-fuels refinery in the Trenton, North Dakota area could be financially supported through several USDA/Rural Development programs. Some that come to mind are the Business and Industry Guaranteed Loan program, the Rural Economic Development Loan and Grant program, the Advanced Biofuel Payment program, and the Biorefinery Loan Guarantee program. We would be pleased to provide detailed information and application forms for these and other pertinent programs, when requested. We have expert staff to provide technical assistance, as needed.

We look forward to working with you to bring your vision of a bio-fuels refinery to reality.

Respectfully yours,



Holiday Van Sciver  
Native American Outreach Coordinator  
North Dakota-Rural Development  
United States Department of Agriculture  
220 East Rosser Ave, Room 208 | P.O. Box 1737 | Bismarck, ND 58502  
Phone: (701) 530-2056 | Fax: (701) 530-2111  
[www.rd.usda.gov/nd](http://www.rd.usda.gov/nd)

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**APPENDIX C - HISTORICAL FINANCIAL STATEMENT LETTER**



MARCH 1, 2022

CLEAN SUSTAINABLE ENERGY AUTHORITY NORTH  
DAKOTA INDUSTRIAL COMMISSION STATE CAPITAL-14<sup>TH</sup>  
FLOOR  
600 EAST BOULEVARD AVE. DEPT. 405  
BISMARCK, ND 58505-0840

Subject: Financial History

**Re: Letter for the Clean Sustainable Energy Grant Application**

Dear Clean Sustainable Energy Authority,

AIC Energy Corp. dba SAFuels X is a new corporation and does not have any financial history. We are registered with the North Dakota Secretary of State as seen below.



If you have any additional information, please feel free to contact our office @ 702-685-1118

.Most Respectfully,

John F. Melk  
President/CEO

Cc: John D. Lee, General Counsel, AIC Energy Corp

**APPENDIX D - BUSINESS PLAN, PROJECT BUDGET**

Business Confidential - See Separate Attached Document

## APPENDIX E - KEY PERSON PROFILES

### **John F Melk**

#### **President and Chief Executive Officer**



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AIC's founder and President, Mr. Melk F. Melk, has an extensive and wide-ranging career in contracting for the U.S. Government's Department of Defense, as well as the "heavy" industrial private sector including the Mandan North Dakota oil refinery.

Mr. Melk is a native of North Dakota and was raised locally in Minot, ND. He is a federally enrolled Native American with the Turtle Mountain Band, Chippewa Indians, Belcourt, ND (Tribal Enrollment Number - 304-U-027397)

He began his professional technical career at the Lawrence Radiation Laboratory in Livermore, California where he worked for five years on cryogenic systems and performing research and development, working with ferro-fluid dynamics systems.

He was then relocated to the Anti-Ballistic Missile bases fueling systems and the radar washdown systems at nearby Langdon, North Dakota. Additionally, he worked on the Spirit Missile's fueling and cooling systems at for locations.

Mr. Melk is a retired member of the Local UA 300 Union for Steamfitters and Pipefitters.

He was an erector for Combustion Engineering at the Coal Creek (Twin) Generating (440 Mega Watts) fossil fueled Power Plants in Falkirk, North Dakota. He also managed the installation of the isomerization system at the oil refinery located in Mandan, North Dakota.

As an award-winning DoD government contractor/supplier from 1987 to 2003, Mr. Melk's company worked on both classified and unclassified programs for sensitive DoD and other government facilities. Among the projects were numerous varied task orders for commercial, light industrial, and heavy industrial (petroleum/oil and gas, and water-oil-gas) systems on several U.S. Air Force installations.

Mr. Melk was recognized as Arizona's Minority Business of the Year and was invited to the White House to receive an award from President George H. Bush. He was also awarded Prime Contractor of the year for Region IX, competing against all small business prime contractors in the states of Arizona, California, Guam, Hawaii and Nevada. He was also invited to the White House to receive an award from President Bush for this distinction.

**Bob Chen**

**Chief Financial Officer**



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With a diverse work history, Bob Chen brings a wealth of knowledge and experience to his role as Chief Financial Officer.

Mr. Chen was a construction subcontractor providing finish carpentry for five years, and a job site supervisor for an architectural firm. In the US, he built or subcontracted over 200 houses in L.A County, Riverside County, Ventura County, Orange County, and San Bernardino County. His more than 15 years combined experience in land development and construction, gives him the ability to understand and manage costs in a complex environment.

He worked for AIG, one of the largest insurance companies in the world, as a Real Estate Analyst, serving under an investment committee headed by AIG's chairman. In this capacity he was responsible for performing research on possible investments and making recommendations to the committee. Some of the projects he was involved with include Taipei 101, Taipei AIG Headquarter (40 story), Shanghai AIG Training Center, AIG Philippine 60 story building and Taichung AIG Asia regional training center.

In addition to real estate, Mr. Chen has extensive experience in the banking industry having work as a Trade Financing Officer at First Commercial Bank, and serving as Vice President and Branch Manager for Standard Saving Bank, Cathay Bank, and Bank East Asia, H.K. During his banking tenure, he was responsible for processing project finance packages for commercial real estate, trade financing and branch center operations.

Mr. Chen is currently a director and CFO of AIC Energy Corporation, dba SAFuel X Refinery.

He has served as a member on the Taiwan Taipei City Planning Committee representing AIG.

He majored in Building Construction Technology in college. Mr. Chen was born in Taipei, Taiwan, and immigrated to the United State in 1985, becoming US citizen. He and his wife have one child and live in Diamond Bar, California.

## **John D. Lee**

### **General Counsel**



---

Mr. Lee is currently the founder and managing attorney of John D. Lee, PLLC. A Nevada Professional Limited Liability Company. The firm is engaged in general business, business entity formation, civil litigation, real estate development and a special emphasis in Citizenship and Immigration Services. The firm currently represents multiple prominent American and foreign companies, producers, real estate developers and high-profile individuals. He has been a partner in each of the following entities:

Mar. 1981 - Mar. 2010	President, of John Doe chung Lee, Chtd., a Professional Corporation
May 1986 - Dec. 1994	Senior Managing Partner of Cohen, Lee & Johnson (10 man civil law firm)
Jan 2008 - Present	Managing Member of John D. Lee PLLC. a Professional Limited liability Company

He attended the University of Nevada at Las Vegas (B.S. 1977), and Brigham Young University (J.D., 1977). Admitted to Nevada bar, in 1980; U.S. District Court, District of Nevada, 1981; Utah bar, 1981; U.S. District Court, District of Utah. Active Member of State Bar of Nevada; Utah State Bar; Clark County Bar and is qualified to appear in all United States Federal Jurisdictions and U.S Embassy and Consulates.

Mr. Lee currently serves as AIC Energy Corp's General Counsel and is a Director of the company.

## **Roger W. Grimes**

### **Lead Engineer, PE**



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Roger Grimes graduated from Washington State University with a Bachelor's Degree in mechanical engineering, then moved into the world of consulting engineering. He designed heating and air conditioning and plumbing systems for commercial and public buildings, working for architects on projects ranging from retail spaces to schools, major office buildings, and resort casinos. He has opened and managed a branch civil engineering office, and has supervised the full set of disciplines as chief engineer of a large architect/engineer design firm. In recent years he joined the Federal workforce doing project programming and community planning for the US Air Force at Fairchild Air Force Base, Washington. He then moved to GSA's Public Building Service (PBS) where he managed leasing projects and build-outs. Roger finished his Government career by moving to Alaska to manage the Federal Buildings in Southeast Alaska. Roger is still active in mechanical engineering as a partner in a small firm in Idaho working for architects and mechanical contractors.

Roger had a parallel career in the US Military, enlisting in the Washington Air National Guard and retiring after 22 years active duty and reserve service in the Army, Army National Guard, Naval Reserve Civil Engineer Corps, and commissioned Air National Guard Civil Engineers.

Roger and his wife of 43 years are busy grandparents, with five grandkids living nearby. Activities like taking kids to dance class, picking up from school, and having mobs of children over to swim are his joy. When time allows he works on and drives old BMW cars, fixes clocks, goes to Spokane Chiefs hockey games, and attends old-time mountain man rendezvous.



#### Trevor John / Project Construction Manager

Trevor John is the Project Construction Manager for AIC and brings a proficient background in the Oil and Gas industry as well as multiple Refinery projects.

Mr. John was formally the Operations Director for numerous construction companies where he utilized his project management, negotiations, and business development. He was responsible for the development and continued growth of numerous divisions within each company from a start-up position. Trevor successfully helped to triple each company's annual revenue within a short amount of time.

Mr. John is a Master Electrician for 15 years in multiple states. He also has completed his OSHA 30, NCCER Instructor, PEC-Core, One Basin One Way, and NSTC Certified. A former EMT-Advanced and Fire Fighter in Utah. He is a North Dakota resident and has spent most of his career with projects such as: Point Thomson, a Natural Gas Production Facility, Alpine Fire & Gas, Production Facility, both in the Arctic North Slope of Alaska. In North Dakota Trevor has constructed numerous projects for clients such as Kinder Morgan, Halliburton, Continental Resources, ONEOK, Marathon Oil and Petroleum, Conoco Phillips, and numerous others. In Wyoming, Trevor helped Linde, complete the Natural Gas conversion to Ammonia plant at Simplot in Rock Springs. In Utah, Mr. John constructed the HollyFrontier \$138m Brownfield Expansion and shortly after managed the Chevron DCS Marshalling upgrade at their refinery in North Salt Lake City.

In such projects, Mr. John exercised his extensive experience as RSES (Responsible for Safety, Environment and on Site) as well as management of construction and commissioning activities with multi-cultural contractors and workforces, with excellent project interdisciplinary interface and coordination experience, key responsibilities being Safety, Quality and Progress.

Mr. John's responsibilities include leading complex dispute resolution matters and developing innovative risk management systems throughout these projects. Acting as a project manager and lead expert, he is able to identify and relate relevant technical issues efficiently and effectively. Also, ensuring contractor's compliance with Schedule, Company Specifications, the approval of all Construction Procedures, Method Statements and ITP's, the management of Electrical, Mechanical and Structural Fabrication at multiple fabrication yards, management of the Static and Rotating Equipment and Vendor Packages for Topsides Modules, the coordination of all Piping Pre Commissioning activities, Piping and Equipment Preservation.



**Kathleen M. Spilman, PE**  
**Managing Director**

**BS Chemical Engineering - 1981**  
**University of North Dakota – Grand Forks, ND**  
**Masters in Management - 1991**  
**University of Mary – Bismarck, ND**

Ms. Kathleen Spilman is a registered professional engineer in both North Dakota and Montana. She worked for a major international oil company for 17 years including assignments at refineries in North Dakota, Indiana, Illinois and Texas.

Kathye has a BS in chemical engineering, a Master's degree in Management and 40+ years of experience. She devoted the first 17 years of her career to an international energy company where she spent 11 years at the Mandan, ND refinery. Her jobs ranged from Environmental Health & Safety Engineer to Process Operations Engineer, Refinery Representative for Capital Project and eventually as Superintendent of Economics, Scheduling & Laboratory. In 1992 she was promoted and would serve as the first process operations superintendent for Amoco Corporation's refining business unit, running their Oil Movements and Product Blending Unit at North America's third largest refinery outside of Chicago. After subsequent assignments at their Texas oil refinery and world headquarters, she joined a "big-5" international consulting firm for almost 3 years.

In 2002, she returned to North Dakota in 2001 and co-founded Keitu Engineers & Consultants, Inc. Ms. Spilman practice includes environmental design and permitting, site assessment and remediation, as well as hazardous materials handling and transportation. Keitu was hired by a major petroleum production client to direct the construction of their rebuilt Ray, ND Gas Plant. Keitu also developed the management plans and operational procedures for True Oil & Gas' Red Wing II Gas Plant.

Keitu's other marquee projects include a 1-million-gallon saltwater spill remediation under the jurisdiction of the US EPA, which at the time was the state's largest spill remediation project, and was awarded on a competitive basis. Keitu was selected by the State of North Dakota to be its field compliance inspector for the Dakota Access Pipeline project.

Ms. Spilman was appointed to the ND State Emergency Response Committee by Governor John Hoeven in 2007 to represent the hazardous materials transportation industry, a role she continues to serve today. She was North Dakota's delegate in 2008 for the development of the National Hazardous Materials Fusion Center by the International Association of Fire Chiefs and US Dept of Transportation. She was selected as the 1987 Outstanding Young Engineer by the ND Society of Professional Engineers. She is the current TRANSCAER® state coordinator.



**Patrick J. Spilman, PE**  
**Senior Project Engineer**

**BS Civil Engineering - 1981**  
**University of North Dakota - Grand Forks, ND**  
**BS Electrical Engineering (Power Option) - 1978**  
**University of North Dakota - Grand Forks, ND**

Patrick Spilman is a registered professional engineer North Dakota. Prior to his most recent work in the consulting engineering field performing feasibility studies, coordinating utilities in project development roles and overseeing pipeline construction projects, Pat spent over 35 years working in the electrical utility industry on ever increasing roles starting as a staff design engineer until eventually retiring as a Senior Vice President/Chief of Operational Technology.

Pat has completed dual engineering degrees; one each in electrical and civil engineering with the goal of becoming Group Leader of the Substation Design Team during North Dakota's rapid expansion in the late 1970's. He spearheaded multiple major projects for a not-for-profit generation and transmission cooperative today serving over 3 million consumers and eventually promoted to Senior Electrical Engineer.

After spending 2 years in their Telecommunications Division, Mr. Spilman was promoted to Manager of Technology Services. Leading the department from its inception, he grew the operation to a staff of seventeen employees. He oversaw the strategic planning and implementation of the cooperative's growth into the internet space and led the initiative to unify the Cooperative's facilities to a unified platform. In this assignment, he also served as Chief Operating Office of Basin Telecommunications, Inc. (BTI), a separate entity providing internet-based services under the Cooperative's umbrella organization. Operational responsibilities included SCADA and EMS for generation, transmission, and operation of a subsidiary's carbon dioxide (CO<sub>2</sub>) pipeline. He completed his tenure with the power cooperative as Chief of Operational Technology. In this role as primary leader, he and his staff managed and optimized the convergence of information technology and operations technology. The key achievement was the conversion of "closed" or proprietary systems to "open" publicly available software. Their day-to-day responsibilities focused on energy data analytics including gathering, analysis, manipulation and utilization as well as continuous improvement to design, implementation and operation of the energy management systems.



### *SUMMARY*

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Known leader in the industry with over 30 years of experience across the entire energy value chain, from upstream production, gas processing, refining, to refined products and renewables. Recognized as a “High Potential Leader” in GE’s benchmark Session C process, he has a proven & established track record of successful projects in the industry. Specialties include Oil & Gas Facilities, Gas Processing & Treating, Refining, Renewables, Process Design & Engineering, Compression, Heat Transfer Expert, Distillation Design & Optimization, Pipeline Optimization, Project Management, Change Management, Market Analysis, Strategy Development.

### *EDUCATION*

---

Texas A&M University - Master’s Degree in Business Administration  
Texas A&M University - Bachelor’s Degree, Chemical Engineering

### *PROFESSIONAL REGISTRATIONS*

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Professional Engineer: Texas No. 89233  
Project Management Professional: Certificate No. 1535447



*SUMMARY*

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- Performed successfully commissioning and start-up of two Greenfield Refineries in Iraq.
- Completed construction activities. Responsible for engineering modifications to existing design including implementation of modifications. Responsible for establishing Operating Guidelines and implementation.
- Highly accomplished Commissioning Engineer in the site execution of pre-commissioning and commissioning activities as well as Start-up and Operations specifically in the Oil & Gas and Petrochemical industries implementing a wide variety of technologies and applications.
- Strong Technical and Operational background experience in the Chemical, Refining and Petrochemical Industries.
- Chemical Engineering degree from Texas A&M University with sound process engineering experience. Strong background in plant construction, upgrade, commissioning, start up and operation activities.
- Over twenty years of progressively increasing responsibility in the Oil and Gas Industry ranging from Technical, Operations, Safety, Maintenance, Engineering, Construction, and Commissioning of projects ranging from \$30 million dollars to \$400 million dollars. Specializing in leading successful start-ups of Greenfield projects in multicultural environments.

EDUCATION / CERTIFICATIONS

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**Bachelor of Science in Chemical Engineering**  
Texas A&M University

LANGUAGES

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- Spanish - Expert

CERTIFICATIONS AND LICENSES

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- Aspen Hysys

*SUMMARY* \_\_\_\_\_

Thirty years of international and domestic experience in the energy industry designing onshore oil and gas facilities (compressor stations, tank batteries, terminals, pipelines, cryogenic gas plants, dense phase CO<sub>2</sub> floods), refineries (hydrogen units, crude units, naphtha stabilizer, synsat hydrotreaters, amine absorbers, sour water strippers, sulfur recovery units), petrochemical facilities (ethylene, high density polypropylene) and offshore platforms. Project management experience developing scope of work, basis of design, project execution plans, budgetary cost estimates and schedules, directing project team activities, interfacing with client and 3rd parties, overseeing fabrication, supporting construction and pre-commissioning activities. Process engineering experience developing Process Flow Diagrams (PFDs), Piping and Instrument Diagrams (P&IDs), equipment specifications, resolving HAZOP items and writing supervisory operating manuals.

*EDUCATION:* \_\_\_\_\_

Texas A & M University  
B.S., Chemical Engineering

*PROFESSIONAL REGISTRATIONS* \_\_\_\_\_

Professional Engineer: Texas No. 77430, Oklahoma No. 28705, NCEES Record No. 65793  
Project Management Professional: Certificate No. 347126

**SUMMARY**

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Results oriented Senior Project Management Professional with experience directing and performing the overall EPC/CM project life cycle. Exceptional project management capabilities and an outstanding record of executing domestic and international small to large scale greenfield and brownfield projects. Able to develop and implement feasible schedules and budgets, and effectively lead cross-functional/multi-discipline teams with servant leadership and outstanding problem solving skills. Excellent business communication, organizational, personnel management skills. Additional key leadership and diversified experiences include pipeline construction, midstream multi-well central gathering facilities, downstream refinery & polypropylene facilities, cryogenic LNG regasification, and upstream/offshore CPP (GoM / NORSOK and West Africa projects).

**Core Competencies:**

- Full Life Cycle and Stage Gate Project Management
- Project Engineering / Multi Discipline Execution
- RFI and Management of Change (MOC) Controls
- High Value Engineering (HVE) Coordination
- Global Work Share / Multi Office Execution
- Quality Assurance / Quality Control Management
- Inspection / Expediting / Logistics Expertise
- Dept. Manager / Performance Evaluation
- Excellent Client Relationship Management
- Primavera P3/P6 & Microsoft Project Scheduling

**EDUCATION**

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**Bachelor of Science in Mechanical Engineering Technology**  
**Specialty in Metallurgy/ Welding Engineering**  
Texas A & M University

**CERTIFICATIONS AND AFFILIATIONS**

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Project Management Institute (PMI) –36 Hour PMP Preparatory Course, Mustang Engineering  
Project Leadership Training Summit – WG Mustang 2014  
Miller Heiman – Conceptual and Strategic Selling  
AWSHouston Section – Vice Chairman 2005 / Treasurer 2003-2005 / Secretary 2002-2003  
AWS Certified Welding Inspector, CWI #99040301 (Active)

*SUMMARY*

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Project Manager / Technology Manager with demonstrated success in project execution, sales, market development, design and operation of process units for the industrial gas, refining, gas processing, hydrogen and cogeneration industries. Problem solver with outstanding knowledge of and competency in a wide range of business and engineering subjects.

*EDUCATION*

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Bachelor of Science – Chemical Engineering  
Northeastern University, Boston, Massachusetts

# APPENDIX F - USDA FINDING OF NO SIGNIFICANT IMPACT (FONSI) LETTER



**United States Department of Agriculture  
Rural Development**

## FINDING OF NO SIGNIFICANT IMPACT

AIC Energy Corp  
SAFuels X Project  
Williams County, North Dakota

Rural Business-Cooperative Service  
U.S. Department of Agriculture

Prepared by:  
Peggy Wade  
Program Support Staff  
USDA Rural Development

June 2021

1400 Independence Ave, S.W. Washington, DC 20250-0700  
Web: <http://www.rurdev.usda.gov>

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"USDA is an equal opportunity provider, employer and lender."  
To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W.,  
Washington, DC 20250-9410 or call (800)795-3272 (voice) or (202) 720-6382 (TDD).

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## A. INTRODUCTION

AIC Energy Corporation's SAFuels X Project (AIC or applicant) is submitting a financing request to the U.S. Department of Agriculture Rural Business-Cooperative Service (RBCS) to construct and operate a renewable fuel production facility in Williams County, North Dakota, near the town of Trenton. The applicant is seeking financial assistance under the Biorefinery, Renewable Chemical, and Bio-based Manufacturing Assistance Program. RBCS is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RBCS is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (USC 4231 et seq.), the Council on Environmental Quality's regulations for implementing NEPA (40 CFR Part 1500), and Rural Development's NEPA implementing regulations (7 CFR Part 1970). After completing an independent analysis of an environmental assessment (EA) prepared by the applicant's consultant, Keitu Engineers and Consultants, Inc., RBCS concurred with its scope and content. In accordance with 7 CFR 1970.102, RBCS adopted the assessment. RBCS finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. The applicant published newspaper notices announcing the availability of the EA for public review, in accordance with 7 CFR 1970.102, and held public listening sessions. In addition, RBCS considers the proposed project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA) (16 USC 470(f)) and its implementing regulations (36 CFR Part 800).

## B. PROJECT DESCRIPTION AND PURPOSE/NEED

The overall purpose of the project is to construct a renewable fuel production facility. The Renewable Fuel Standard (RFS) promulgated by the Environmental Protection Agency requires fuel refiners to produce a portion of their fuels from renewable feedstocks. The renewable fuels from this project will be sold or traded to petroleum refiners to meet the RFS.

The facility will be sited near Trenton on an 87-acre parcel in an existing industrial park. This project will produce approximately 100 million gallons per year of renewable diesel and aviation fuels from feedstocks of soybean and canola oil. Construction activities include clearing, grubbing and grading for roads, utilities, production and office buildings, pipe racks, detention ponds, storage tanks, etc. Approximately one mile of natural gas pipeline will be installed from the facility to the existing Northern Border pipeline. Up to five miles of water supply pipeline will be installed connecting the facility to an existing intake.

RBCS has reviewed the purpose and need for the project and determined that the proposal will meet the present and future needs of the applicant.

## C. ALTERNATIVES EVALUATED

The No Action Alternative serves as the project's environmental baseline but was rejected as a viable alternative as it does not meet the applicant's purpose and need.

The Preferred Alternative is to site the project within the existing industrial park, adjacent to the rail port, which has industrial zoning, access to several modes of transportation, and is compatible with existing industrial processes already in operation.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

Construction Impacts: Impacts may arise from construction of the facility from site preparation and other construction activities. Temporary minor impacts during construction, such as noise, erosion, dust, motor vehicle emissions, etc., will occur. No significant impact is expected.

Air Quality: Williams County is in attainment of all the National Ambient Air Quality Standards and thus is not subject to EPA's conformity rule. The facility will comply with any conditions that may be required under Clean Air Act Title V operating permits. No significant impact is expected.

Farmland Protection Policy Act and USDA Departmental Regulation 9500-3: The project site consists of areas considered farmland of statewide importance. Approximately 87 acres will be converted from agricultural use. The Agency consulted with the Natural Resources Conservation Service (NRCS). The NRCS determined that the proposed project will result in a conversion of farmland and a Land Evaluation and Site Assessment was done, which resulted in an impact score of 147.4, below the threshold of significance defined by the NRCS. There is not a practical alternative to the conversion that meets the project's purpose and need.

Although the project would result in the direct conversion of farmland of statewide importance, it is compatible with state and local policies to protect farmland. The NRCS has accepted the Land Evaluation and Site Assessment.

There are no National Landmarks, Monuments, forestlands or ecologically sensitive areas near the project site.

No significant impact is expected.

Floodplains and wetlands: The project construction site is not located within a mapped Special Flood Hazard Area (SFHA, or the 100-year floodplain). A portion of the parcel is classified as SFHA but no construction activities are planned in this area. Portions of the planned pipeline will be in the SFHA and will be installed by Horizontal Directional Drilling (HDD).

No significant impact to the floodplain is expected.

Two small mapped wetlands are present at the project site but are not within the planned construction footprint. The pipeline will traverse wetlands in some locations, but the impact will be temporary and minor; pipe installation near wetlands will be done by HDD. All appropriate Clean Water Act Section 404 permits will be obtained from the U.S. Army Corps of Engineers prior to pipeline work.

No significant impact to wetlands is expected.

Water Quality: The proposed project is within the Upper Missouri River Basin. There are no impaired streams within the project area. The proposed project will discharge stormwater and treated/purified

wastewater into the Missouri River, subject to conditions of its North Dakota Pollutant Discharge Elimination System permit.

No significant impact to water quality is expected.

Biological Resources: Several federally-listed threatened or endangered species are present within the action area of the project, therefore the project may affect but is not likely to adversely affect any federally-protected species. The US Fish and Wildlife Service (USFWS) has concurred with this finding. To avoid potential impact to federally-listed or protected species, the following mitigation measures will be implemented:

- Northern Long-Eared Bat: No trees with a diameter at breast height of three inches or more will be removed between April 1 and September 30.
- Migratory Birds: If construction activities are planned during February 1 – July 15<sup>th</sup>, a migratory bird survey will be conducted within five days prior to the start of construction; active nests (e.g., those with eggs or young) will be protected until the young have fledged.
- Whooping Crane: If a Whooping Crane is spotted within one mile of the project site during construction, work will be halted and the USFWS will be notified.

No significant impact is expected.

Historic Properties and Cultural Resources: The proposed project will not impact any properties eligible for inclusion in the National Register of Historic Places, nor any known cultural resource. An archeological survey was performed and, while archeological resources were encountered, they were either outside the Area of Potential Effect or they could be avoided with changes to construction practices. RBCS did not make an eligibility determination on the archeological resources since they would not be impacted by the undertaking. The South Dakota State Historic Preservation Officer concurred with the RBCS finding that no historic property will be affected.

Tribes with an historic interest in Williams County were notified of the project; no Tribes expressed concern with the undertaking.

No significant impact is expected; however, if prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials or any other physical remains that could be associated with Native American, early European, or American settlements are encountered at any time within the project area, the project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the SHPO and interested Tribes immediately and project activities shall not resume without verbal and/or written authorization from the SHPO and Tribes. In the event that human remains are encountered during construction, all work shall stop immediately and the proper authorities notified in accordance with North Dakota statutes. If vertebrate fossils are found during construction, work in the vicinity would cease and the North Dakota state paleontologist would be notified.

Civil Rights Impact Analysis: The project will not have a disproportionate impact on low-income or minority populations in the vicinity of the project.

## E. MITIGATION

The following mitigation measures are incorporated into the Final Environmental Assessment and serve to reduce the magnitude of the potential impact and/or support the Agency's findings in the document.

- a. No trees with a diameter at breast height of three inches or more will be removed between April 1 and September 30.
- b. If construction activities are planned during February 1 – July 15<sup>th</sup>, a migratory bird survey will be conducted within five days prior to the start of construction; active nests (e.g., those with eggs or young) will be protected until the young have fledged.
- c. If a Whooping Crane is spotted within one mile of the project site during construction, work will be halted and the USFWS will be notified.
- d. Horizontal Directional Drilling will be used when pipelines must cross sensitive resources such as wetlands or historic property.
- e. In the event of unanticipated discovery of archeological deposits, cultural artifacts or human remains, all work within the vicinity of the discovery will stop immediately and the North Dakota SHPO will be notified.
- f. If vertebrate fossils are found during construction, work in the vicinity would cease and the North Dakota state paleontologist would be notified

## F. PUBLIC AND AGENCY INVOLVEMENT

There are no other federal agencies involved in funding or implementation of this project. State and local agencies were contacted directly by the applicant and/or RBCS.

Three public notices were published January 15, January 20, and January 27, 2021, in the Williston Herald, a newspaper of local circulation. A public meeting was held on January 27, 2021. The public meeting was held at the Hampton Inn and also offered via a live-streaming service. The comment period closed on January 27, 2021. Several adverse comments were received (see attached matrix). Some comments were out of scope, and others had already been addressed within the Environmental Assessment. No new environmental concerns were submitted.

## G. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RBCS has concluded that the proposed project would have no significant impact to the human environment. The proposed project would have no adverse effect on historic properties. The proposed project may affect but is not likely to adversely affect federally-listed species. The project would not disproportionately affect minority or low-income populations.

In accordance with NEPA, as amended (42 USC 4321 et seq.), the Council on Environmental Quality regulations (40 CFR Part 1500), and RD's Environmental Policies and Procedures (7 CFR Part 1970), RBCS has determined that the environmental impacts of the proposed project have been adequately addressed and that no significant impacts to the quality of the human environment would result from

construction and operation of the proposed project. Any final action by RBCS related to the proposed project will be subject to and contingent upon compliance with all relevant federal and state environmental laws, regulations and permits. Because RBCS's action will not result in significant impacts to the quality of the human environment, RBCS will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed project.

#### H. LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RBCS's environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance is subject to the availability of funds for the designated purpose in RBCS's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

#### I. APPROVAL

This Finding of No Significant Impact is effective upon signature.

KARAMA NEAL

Digitally signed by KARAMA NEAL  
Date: 2021.10.07 14:11:49 -05 00

\_\_\_\_\_  
Dr. Karama Neal  
Administrator,  
Rural Business-Cooperative Service

\_\_\_\_\_  
DATE

*For additional information on this FONSI and EA, please contact Peggy Wade at 202-875-3572.*

Comment	Response
Concerns about increased traffic causing congestion and damaging gravel roads; would like to see the roads paved.	While traffic will increase during construction of the project, this increase will be temporary. When the facility is operational, daily employee traffic will be between 25-35 vehicles, and approximately 4 delivery trucks are expected each week. Feedstock and finished product will be piped to/from the facility to the rail yard. There are currently paved road routes to the facility.
Negative view of the industrial park.	The industrial park has been sited and permitted by the County.
Concerns about stormwater drainage.	Stormwater conveyance will be subject to the Storm Water Pollution Prevention Plan and associated National Pollution Discharge Elimination System permits.
Concerns about hexane use in the process.	There is no hexane used in the process.
Concerns about impact to the pallid sturgeon.	The Missouri River has suitable habitat for the pallid sturgeon. Treated wastewater may be discharged into the river watershed, in accordance with permit conditions, but no intake of water from the river is planned. The project activities will not affect this species.
Concerns about light pollution.	The project is located within an existing industrial park, with other sources of light pollution in the vicinity. However, shrouds and baffles will be incorporated into facility design to minimize impact to the night sky.
Concern that emissions, odors, noise, etc., would cause nearby residences to become unlivable.	There are no noise ordinances in place for the industrial site, but the noise at the fenceline is not expected to exceed 65 DNL, which is generally considered acceptable. Emissions are subject to control from the North Dakota Department of Environmental Quality and the facility will be subject to permit conditions. While industrial parks contribute to the ambient noise, emissions and odors in the area, this facility is not expected to have a significant impact.
Great project; beneficial to the community; excited for the new jobs; better use of the property than previously proposed projects; will be a true asset.	Thank you.