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Purpose and Scope

This document provides guidance on how to safely perform a variety of excavation activities around Countrymark Refining and Logistics, LLC (“CountryMark”) pipelines, facilities and right-of-way (“ROW”). It is intended for landowners, utility owners, general contractors and their sub-contractors, pipeline/utility contractors, real estate developers, brokers and agents, lending officers and title underwriters, engineers, architects, surveyors, and local/governmental elected staffs (“Crossing Party”).

The intent of this Specification is to provide clear and consistent sets of requirements that will:

- (1) reduce the risk of damage to our pipeline and related facilities;
- (2) ensure unencumbered access to our ROW and pipeline facilities and the availability of adequate workspace for routine maintenance, future inspection, and/or repair work on our pipeline;
- (3) enable the effective corrosion protection of our pipeline.

All such activities and projects that are performed near CountryMark’s pipeline facilities are subject to formal review by CountryMark prior to issuance of final written approval. Depending on the scope of the project and its impact on CountryMark’s pipeline facilities, additional engineering review, requirements and protective measures may apply. Furthermore, any damage caused by the Encroaching Party to CountryMark’s pipeline(s), the pipeline cathodic protection system, or other CountryMark assets is the sole responsibility of the Encroaching Party. CountryMark will pursue reimbursement for all costs associated with the event including, but not limited to, excavation services, inspection services, pipeline repairs, and loss of operations.

CountryMark should be consulted as early as possible regarding proposed subdivisions, roads, utility, and/or municipal projects.

The following requirements are not only the policy of CountryMark, but comply with regulations set forth by the United States Department of Transportation, Safety Regulations, 49 CFR, Part 195

The transmittal of this Specification does not constitute CountryMark’s approval or permission for the Crossing Party to begin construction or work within or across the pipeline ROW. Work may not commence until written authorization approving such work has been issued by CountryMark.



STEPS FOR SAFE DIGGING

- 1) Call 811 the required number of days before excavation is scheduled to begin.
- 2) If within CountryMark ROW or if there is presence of a pipeline, call CountryMark's One Call Center 812-838-8500.
- 3) Outline the proposed digging area with white paint or flags. CountryMark will erect temporary pipeline markers/flags identifying the location of the pipeline within the work area and will provide information on how to respond should the pipeline be damaged or a commodity release occur. All personnel operating equipment over or around the pipeline must be made aware of its location and what to do if they contact or strike the pipeline, see below.
- 4) A CountryMark representative must be present when work is performed within the ROW. Always hand dig within a tolerance zone of 24 inches plus the diameter of the pipeline. The tolerance zone is a horizontal area, measured from the marks, where the excavator shall excavate using hand tools (or other non-invasive tools) to protect the marked facilities until they are exposed. The tolerance zone includes the area from the ground surface and around the facility.

When excavation is to take place within the specified tolerance zone, the excavator exercises such reasonable care as may be necessary for the protection of any facility in or near the excavation area. Methods to consider, based on certain climate or geographical conditions include hand digging when practical (pot holing), soft digging, vacuum excavation methods, pneumatic hand tools, other mechanical methods with the approval of CountryMark, or other technical methods that may be developed. Hand digging and non-invasive methods are not required for pavement removal. Vacuum excavation, when used appropriately, is an efficient, safe and effective alternative to hand digging within the designated facility tolerance zone. Use of equipment shall also follow state/provincial laws and/or local ordinances.

An excavator discovering or causing damage to the facility must notify CountryMark's One Call Center 812-838-8500. All breaks, leaks, nicks, dents, gouges, or other damages to facility lines, conduits, coatings, or cathodic protection must be reported.

If the damage results in the escape of any flammable, toxic, or corrosive gas or liquid or endangers life, health, or property, the excavator responsible must immediately notify 911, the State One Call Center (811) and CountryMark. The excavator must take reasonable measures to protect everyone in immediate danger, including the general public, property and the environment until CountryMark or emergency responders arrive and complete their assessment.

The excavator protects all facilities from damage when backfilling an excavation. Trash, debris, coiled wire, or other material that could damage existing facilities or interfere with the accuracy of future locates must not be buried in the excavation.

Contractors installing underground facilities must notify CountryMark if the actual placement is different from the expected placement.

All stakeholders comply with all best practices and the following general guidelines prior to, during, and after any trenchless excavation.



1.0 Easement Information

General Conditions of an easement give the holder of the easement the right to operate a business in a safe and unencumbered manner. Easement Amendments & License Agreements attempt to change the legal document to reflect the physical changes to the property. These new arrangements may require the Crossing Party to:

- 1.1 Recognize the rights and needs of CountryMark by obtaining permission to encroach on the easement and follow the specifications for crossing the pipeline system.
- 1.2 If the pipeline needs to be altered, then all costs will be the responsibility of the Crossing Party.
- 1.3 Indemnify, and hold harmless, CountryMark from all claims and liabilities. In addition, the Crossing Party shall pay all costs and fees for responding to failures, or in the enforcement of all details in the performance of the encroachment or crossing.
- 1.4 Notify CountryMark 48 hours before working near the pipeline and follow specifications and the directions of the CountryMark representative.
- 1.5 Develop diagrams and surveys with plan and profile views of the site and the method of construction including materials, equipment, personnel training and construction loads.

2.0 General Guidelines

CountryMark should be engaged early in design phases for larger projects, including but not limited to, proposed development subdivisions, parks, roadways, utility projects, etc. For subdivisions, CountryMark requires that its ROW be used as green space. If a roadway, walkway, utility crossing, or any other ROW crossing is being proposed, a subsequent **Encroachment Agreement** will be required as well as a crossing review. A copy of an encroachment agreement may be requested and contains information relating to standard terms and conditions, construction requirements, liability and indemnity, and insurance requirements.

- 2.1 The safety of the pipeline must be considered at all times. No attempt to probe for or engage in any construction activities which might damage the pipeline or coating is permitted.
- 2.2 Before any preliminary fieldwork or construction begins near CountryMark's pipeline, a determination of the exact location and elevation of the pipeline must be made. To coordinate this procedure, please contact our ROW Department (see Attachment 1 for a list of contacts). CountryMark makes no assurance that its permanent pipeline markers are positioned directly over its pipeline(s). The relocation, removal, or destruction of CountryMark's pipeline markers are prohibited by federal law. Pipeline markers damaged or made unusable shall be repaired or replaced at the Encroaching Party's expense.
- 2.3 All proposed drawings/plans must be submitted to CountryMark's Engineering Department and ROW Department for review to determine to what extent, if any, the pipeline or ROW will be affected by the proposed construction and/or development. These drawings/plans must be prepared in strict compliance to Attachment 3.
- 2.4 CountryMark may require the property owner to provide proof of current ownership of the land where the proposed encroachment is to occur. Such proof may be in the form of a



Title Commitment, Title Policy, or a certified copy of a recorded Conveyance Deed.

- 2.5 When any construction is conducted in or around our pipeline ROW, CountryMark’s on-site representative must be present at all times.

NO WORK SHALL TAKE PLACE WITHOUT A COUNTRYMARK ON-SITE REPRESENTATIVE PRESENT.

- 2.6 CountryMark must confirm any variance from these specifications in writing. The Crossing Party shall:
- a) Contact CountryMark to re-mark a pipeline if the existing markers are inadequate for any reason, including disturbance during construction.
 - b) Not burn trash, brush, or other items or substance within 100 feet of any pipeline.
 - c) Not store any equipment or materials on the ROW. Full access must be maintained to the pipeline(s) at all times. The stockpiling of items including soil, or topsoil over the pipeline(s) is not permitted.
 - d) Not construct any obstruction above or below ground (including, but not limited to, buildings, engineering structures, pavement, fences, refuse, pools and waste disposal systems) within CountryMark’s ROW.
 - e) Not operate heavy equipment over any pipeline.
 - f) Cross as near perpendicular as possible to any pipelines.
 - g) Perform no power digging within 100 feet of the side of the pipeline unless a CountryMark representative is present.
 - h) Not cross the pipeline by auto tunneling, boring, or directional drilling methods unless approved and documented by CountryMark. A CountryMark representative must be present during this operation.
 - i) Not develop or build retaining walls, drive piling, or create engineering works that develops or controls overburden loads that affect the pipeline without CountryMark’s approval.
 - j) Not chisel, plow or rip the soil until inspected by a CountryMark representative. Rip no greater than 16 inches deep only after the exact position of the pipeline is known and not within three (3) feet of the outer edge of any pipeline.
 - k) Restore the site to its original condition except for items that are part of the approved change.
- 2.7 Depending on the type and nature of the encroachment, CountryMark may require the pipeline(s) within the proposed encroachment to be exposed, visually inspected, and backfilled by a CountryMark representative at the full expense of the Crossing Party. CountryMark will evaluate the cathodic protection system, including the coating type and condition, for suitability of service in relation to the proposed encroachment. Should CountryMark deem that the cathodic protection system and/or coating system is insufficient for any reason, CountryMark will repair or upgrade the system at the Crossing Party’s expense to accommodate the proposed encroachment. Potential cathodic protection modifications can include, but are not limited to, equipment such as rectifiers, anode systems, test stations, casing pipe, and coating.

3.0 Excavation and Construction Restrictions



- 3.1 Excavation operations shall be performed in accordance with appropriate State “One Call” utility locating system requirements.
- 3.2 The Crossing Party will conduct “white lining” of any proposed excavation areas. CountryMark will erect temporary pipeline markers/flags identifying the location of the pipeline within the work area.
Note: If proposing dredging activities within 150-feet of CountryMark’s pipeline(s), a dredging plan must be submitted to CountryMark for review and approval.
- 3.3 When a Crossing Party excavates near CountryMark’s pipeline, a CountryMark representative must locate the pipeline and determine the depth of cover before the Crossing Party begins excavation activities.
- 3.4 No equipment shall work directly over the pipeline. The Crossing Party shall install temporary fencing along CountryMark’s ROW boundaries so that equipment will not inadvertently pass over the pipeline at locations other than those established for crossing (see Section 5.4)
- 3.5 When excavating within the ROW, the Crossing Party’s excavator shall have a plate welded over the teeth of the bucket, and the side cutters must be removed prior to excavation. However, if within 24 inches of the outer edge of the pipeline (this “tolerance zone” extends on all sides of the pipe), only hand excavation, air cutting, and vacuum excavation are permitted.
- 3.6 No excavations shall be made on land adjacent to the pipeline that will in any way impair, withdraw lateral support, cause subsidence, create the accumulation of water, or cause damage to the pipeline ROW.
- 3.7 The Crossing Party shall ensure all excavation work complies with OSHA’s excavation standards outlined in 29 CFR 1926 and correct any noncompliant excavation site before CountryMark’s representative or the Crossing Party enters the site to perform work.
- 3.8 If conditions require, the Crossing Party shall be directed by CountryMark to install sand or cement bags or other suitable insulating materials to maintain proper vertical clearance from the pipeline.
- 3.9 At any location where the pipeline is exposed, the Crossing Party shall provide CountryMark the opportunity to inspect the pipeline condition, install cathodic protection test leads, and/or install underground warning mesh.
- 3.10 The maximum unsupported exposed length of CountryMark’s pipelines shall be 10 feet. When required, the pipeline shall be supported with grout and sandbags or padded skids (cribbing) on each side of the crossing. At no time shall the pipeline be used as a brace to support equipment or sheeting/shoring materials. Prior to backfilling the hole, the cribbing must be removed and replaced with sandbags or good, compacted fill in order to minimize settling of the pipeline.
 - a) Backfill and compaction shall be performed to the satisfaction and in the presence of a CountryMark representative. Within five (5) feet of the pipeline crossing location, the Crossing Party shall place at least 12 inches of sand with no sharp gravel, rock, hard clods, vegetation, or other debris on all sides of any pipeline, and remaining backfill shall be placed so as not to disturb this padding material or damage the pipeline. Backfill over the pipeline shall be compacted by hand until 18 inches of cover is achieved. The disturbed ground shall be compacted to the same



degree of compaction of surrounding areas. The Crossing Party shall restore the site to its original condition except for items that are part of the CountryMark approved change.

SPECIFIC GUIDELINES

4.0 Cover, Grading, and Drainage

4.1 Cover and Site Grading:

- a) The existing cover over the pipeline shall not be modified without CountryMark's written approval.
- b) The final grading shall net a minimum cover of 36 inches over the pipeline.
- c) In areas where buildings are proposed within 50 feet of the pipeline or due to other surface improvements and/or in areas determined by CountryMark, final grading shall net a minimum cover of 48 inches over the pipeline. *This does not include roads, driveways, sidewalks, or parking areas. See section 5.4.*
- d) The maximum allowable constructed cross-slope within the ROW shall be 5H:1V and shall never be greater than the existing cross-slope.
- e) The maximum allowable cover/soil shall not exceed six (6) feet without CountryMark's written approval.
- f) Use of vibratory equipment larger than walk-behind units are not permitted within 25 feet of the pipeline.
- g) Temporary roads for construction activities may require additional cover and road mating to protect the pipeline from additional loading stresses. Additional engineering analysis will be required prior to approval.
- h) No amount of cover shall be either removed from, or added to, a pipeline ROW without written approval by CountryMark. This recommendation applies to removal or burying of rocks and ditching for farm drainage, as an example.

4.2 Drainage:

Drainage and septic systems work on the principle of gravity. It is important that grade elevations and slopes be considered before these systems are created. Septic systems and their leach fields are not permitted in the pipeline ROW. This area is reserved for heavy construction equipment for the pipeline. Crossing the pipeline with these systems must be accomplished with non-perforated solid pipe buried deep enough to carry heavy loads.

- a) Detention ponds, lakes, structures or any type of impoundment of water, temporary or permanent, are prohibited within the ROW.
- b) Culverts must not be located within 25 feet of the pipeline or CountryMark's ROW, whichever is greater.
- c) Any modification or creating of a drainage pattern that affects CountryMark's ROW must be addressed such that erosion of pipeline cover is controlled.
- d) If there are no other options for relocating the culvert, or if the culvert is on public ROW (federal, state, or local), then CountryMark must approve the design. While reviewing the design, consideration shall be given to additional stress placed on



the pipeline, access to the pipeline for maintenance, and the effect of any new drainage patterns might have on the pipeline ROW.

- e) For streams, drainage channels, and ditches, a minimum cover of 60 inches is required between the pipeline and the bottom of the drainage canal or ditch (see section 5.4 for road drainage ditches).

5.0 Aboveground and Underground Structures

To maintain safe operating pipelines, CountryMark routinely performs maintenance and required federal/state inspections on its pipelines. To perform these critical activities, CountryMark's maintenance personnel must be able to access the pipeline ROW, as provided in the easement agreement. Required access is accomplished by keeping the area on either side of the pipeline contained within the ROW clear of trees, shrubs, buildings, structures, or any other encroachments that might interfere with access to the pipeline. CountryMark typically uses aerial patrol to survey the ROW, providing critical information regarding potential issues involving the safe operation of the pipeline. The landowner, as well as potential land purchasers and/or developers, have the obligation to respect the pipeline ROW by not placing obstructions or encroachments within the ROW and in planning developments in a manner that maintains the visibility and accessibility of the ROW, such as in the platting of "green belts" or common ground across the ROW area.

The Encroaching Party should provide CountryMark with a plan and profile drawing indicating the existing and proposed property improvements within 100 feet of the pipeline, and such drawings should depict the distance and relationship between the property improvements and pipeline. At the Encroaching Party's request, CountryMark will locate and mark its pipeline location to enable the location of the pipeline to be accurately surveyed and shown on the plan and profile drawings. CountryMark will have a representative at the site during improvement activities.

5.1 General Requirements

- a) Buildings or other structures, including, but without limitation, overhanging balconies, patios, decks, swimming pools, wells, walls, septic systems, propane tanks, transformer pads, manholes, valve boxes, storm drain inlets, utility poles, the storage of materials, or any other item which will create obstruction or prevent the inspection of the ROW by air or foot, shall not be erected within the ROW.
- b) The Crossing Party shall not develop or build retaining walls, drive piling, or sheeting, or install an engineered structure that develops or controls overburden loads that will affect the pipeline.
- c) Deep foundations which include piers, caissons, drilled shafts, bored piles, and cast-in-situ piles located within 500 feet of the pipeline shall be installed/drilled using an auger.
- d) Any deviation for aboveground and underground structures will be reviewed by CountryMark on a *case-by-case basis*.

5.2 Gardening and Landscaping



- a) Trees, shrubs and bushes are not permitted within the ROW. Trees planted outside the ROW shall be placed so branches and limbs will not overhang the pipeline ROW as the tree matures. CountryMark may trim/remove overhanging branches and limbs that encroach into the ROW.
- b) CountryMark may give written approval for flowerbeds, vegetable gardens, and lawns permitted within the ROW. CountryMark is not responsible for replacing any plantings located within the ROW, as clearing vegetation may be necessary.

5.3 Fences and Walls

- a) Privacy fences or fences that prevent access to the ROW are not permitted.
- b) All other fence installations within the ROW will be reviewed for approval by CountryMark on a *case-by-case* basis. Upon CountryMark's written approval, fences shall be constructed with a 12 to 16-foot gate, minimum, or removable panel sections across the entire width of the ROW to allow CountryMark access to inspect and maintain the pipeline.
- c) Fence posts shall not be installed within 5 feet of the pipeline and must be equidistant if crossing the pipeline.
- d) Fences that run parallel to the pipeline shall be installed at least 10-feet from the pipeline.
- e) No fence shall cross a pipeline ROW, when reasonably possible, at a less than 60-degree angle to the pipeline.
- f) Masonry, brick, or stone walls are not permitted on the ROW.

5.4 Roads, Driveways, Sidewalks, and Parking Areas

Permanent vehicle crossings, such as roads, that are planned over or near a CountryMark pipeline must meet the clearance requirements as defined by CountryMark and API 1102. The crossing design will require evaluation by CountryMark to ensure that the installation/crossing will not cause an excessive amount of stress on the underlying pipeline. The crossing party shall provide CountryMark with a plan and profile drawing indicating the existing and proposed elevations of the proposed project; the pipeline and buried utilities within 25 feet of either side of the crossing shall be clearly indicated in all views.

- a) Roads, driveways, sidewalks or parking areas will not be permitted unless there is already a minimum of 48 inches of undisturbed cover over the pipeline. If the depth of cover is less than 48 inches, pipeline relocation or replacement will be required. An engineering analysis must also be completed to ensure that the proposed crossing will not impose excessive stress on the pipeline. The addition of cover to achieve 48 inches will not be allowed. Pipeline lowering will only be considered on a case-by-case basis with additional engineering analysis.
- b) The proposed surface encroachments shall cross the pipeline, where reasonably possible, in a perpendicular alignment (90-degrees) to minimize the length of the impact to the underground facility, but in no event less than 45-degrees.



- c) The maximum allowable cover shall not exceed six (6) feet without CountryMark's written approval.
- d) Use of vibratory equipment larger than a walk-behind unit is not permitted within 25-feet of the pipeline.
- e) A minimum cover of 36 inches over the pipeline is required at road drainage ditches.
- f) Stockpiling of materials on the ROW or easement is not permitted. These materials include, but are not limited to soil, snow, stone, boulders, trees, brush, grass, clippings, leaves, construction materials, etc.
- g) If CountryMark determines that additional measures are necessary to adequately protect the pipeline, the crossing party shall provide additional protection as approved by CountryMark. Options for additional protection include installation of reinforced concrete pads, pre-stressed concrete means, relocation, or replacement of the pipeline.
- h) Temporary roads for construction activities may require additional cover and road mating to protect the pipeline from additional loading stresses. A separate engineering analysis may be required on a case-by-case basis.
- i) A geotechnical report may be required to identify soil profile components. This subsoil study will show the load array characteristics of the site.

6.0 Foreign Utility Crossings

“Foreign Utility” (non-CountryMark pipeline) means any hazardous liquid, gas transmission line, main, service connections, and utility pipe such as water line, sewer line, or any other pipeline installed within the ROW of CountryMark's pipeline.

6.1 General Requirements

- a) Utilities shall cross perpendicular to the pipeline.
- b) Utilities are required to cross beneath the pipeline with a minimum clearance of 24 inches.
- c) Sand or select fill shall be placed between the pipeline and utility (See Section 3.7).
- d) Warning tape, in accordance with A.P.W.A Uniform Color Code, shall be placed above utility, 12 inches below ground, for a distance of 25 feet on either side of the crossing.
- e) Pipeline markers or identifying markers shall be located to indicate the route of the foreign pipeline across CountryMark's pipeline ROW. Such markers shall adhere to regulatory standards and API Recommended Practice 1109, *Marking Liquid Petroleum Pipeline Facilities*.
- f) Splice boxes, service risers, energized equipment, etc., are not permitted within the ROW.
- g) “Cable” means any power or communications cable, including fiber optic.
- h) CountryMark may request an “as-built” drawing depicting the verified angle of crossing, depth of the pipeline, and the clearance of the foreign utility. This “as-built” drawing provides important information for later excavations and



operational design compliance data.

i) Trenchless Excavations:

- [1] Utilities installed by a trenchless excavation method (directional drilling, jacking, slick boring, etc.) shall be reviewed on a *case-by-case* basis. Before beginning any conventional bore/utility service line boring, drilling or tunneling across or within CountryMark's pipeline ROW, design approval and permission should be received from a CountryMark representative.
- [2] CountryMark reserves the right to select the method of crossing for the proposed utility.
- [3] A minimum clearance of 48 inches (4 feet) below the pipeline is required.
- [4] For directional drilling operations, a tracking system is required to verify the exact location of the drill head.
- [5] For perpendicular crossings, a 4 feet by 4 feet excavation window, 24 inches below the pipeline is required for visual inspection of the pipeline to ensure the drill (or bore) does not affect the pipeline.
- [6] Blind boring is not permitted within CountryMark's ROW.
- [7] When trenchless excavations are authorized by CountryMark parallel or nearly parallel to and within 25 feet of an existing pipeline, observation holes shall be excavated at 25-foot intervals to monitor the progress and horizontal/vertical location of the drill head. Nearly parallel means parallel to or running at an angle 60 degrees or less to the pipeline.
- [8] CountryMark must be provided with an advance copy of the horizontal directional drill (HDD) plan for the trenchless excavation which specifies how the HDD will be tracked, monitored and controlled at least two weeks before work is to commence. The plan must detail preventative measures to prevent conflicts with CountryMark's existing facility. The plan must state the planned HDD bore diameters, rod lengths, ream diameters, method of guidance, method of drill head tracking, etc. Additionally, the plan needs to include procedures for continuous monitoring and reporting of the drill head location and state the appropriate vertical and horizontal deviation tolerances for the HDD operations in accordance with API RP 1172 – "6 Final Design". The procedure must include reporting requirements and procedures to correct or shut down the HDD trajectory should the operation exceed the established tolerances. CountryMark must be notified immediately if tolerances are compromised and shall be involved in the recommencement of operations after tolerances are exceeded.

6.2 Metallic Utilities:

- a) Cathodic protection bonds and potential leads shall be installed at the expense of and by the Crossing Party at all their crossings and terminate them at aboveground locations. CountryMark will install test leads on our existing pipeline.



- b) Utilities shall be coated with a non-conductive coating for a distance of 50 feet on either side of the pipeline crossing.
- c) Ductile water pipe shall include nitrile gaskets within 50 feet of the pipeline crossing or anywhere within 25 feet of horizontal offset locations.
- d) A warning tape, or warning mesh, shall be used to indicate the location of a foreign pipeline for a distance of 25 feet on either side of CountryMark's pipeline.

6.3 Non-Metallic Utilities:

- a) Utilities shall be wrapped with tracer wire within the width of the ROW.
- b) Natural gas (or other industrial gases) lines shall be encased in a 6-inch envelope of yellow 3,000 psi concrete across the ROW for a minimum distance of 10 feet to each side of each CountryMark pipeline(s) across the ROW.
- c) PVC water pipe shall include nitrile gaskets within 50 feet of the pipeline crossing or anywhere within 25 feet of horizontal offset locations.

6.4 Underwater Line Crossings:

- a) For underwater line location procedures, refer to Section 3.2.
- b) The Encroaching Party must provide qualified diving inspectors (CountryMark must approve qualifications) to CountryMark for use during the crossing activity with no cost to CountryMark.
- c) The Encroaching Party must place sacks filled with sand and cement between CountryMark's pipeline(s) and the encroaching utility to provide and maintain the required minimum vertical clearance between the two utilities.

6.5 Electrical, Fiber-Optic, and Communication Cables:

a) Buried Cables:

- [1] "Cable" is defined as all wires and fiber optic facilities that transmit electrical power or communication signals.
- [2] Electrical conductors/cable installations shall meet minimum requirements of National Electric Code for buried conductors and be adequately shielded and be impervious to hydrocarbon liquids.
- [3] Cables are required to cross beneath the pipeline with a minimum clearance of 24 inches and require implementation of corrosion control procedures.
- [4] Sand or select fill shall be placed between the pipeline and cable (see Section 3.8).
- [5] Critical buried cables shall be installed in Schedule 80 PVC pipe and encased in a 6-inch envelope of color coded (i.e. red for electrical cable, orange for communication cable) 3,000 psi concrete for a minimum distance of 10 feet to each side of each CountryMark pipeline(s) across the ROW. The top of the concrete slab shall have at least 24-inch clearance of



- CountryMark's pipeline.
- [6] Warning tape, in accordance with A.P.W.A Uniform Color Code, shall be placed above the utility, 12 inches below ground, for a distance of 25 feet on either side of the crossing.
 - [7] Cable crossings shall be installed with warning tape above the cable and signage aboveground. An extra-length cable should be looped to help with future excavations.
 - [8] All power cables shall be marked with red signs indicating "buried power cable", according to National Electric Code standards.
 - [9] After construction of cables with an operating voltage greater than 13.8kV, CountryMark will investigate the possibility of induced current on the pipeline. If AC interference is evident, the Crossing Party shall be responsible for the cost of mitigating the AC interference.
- b) Aboveground Cables:
- [1] A minimum of 20 feet of above-grade clearance for a distance of 25 feet on each side of the pipeline is required.
 - [2] Mechanical supports and service drops including poles, guy wires, ground rods, anchors, etc. are not permitted with CountryMark's ROW.

7.0 Temporary Access Roads and Heavy/Construction Vehicle Crossings

7.1 General Requirements

- a) Each location is unique and shall be evaluated by a CountryMark representative to determine site-specific protective requirements.
- b) The Encroaching Party shall provide CountryMark information as to the type, model, size, and axle weight of construction equipment that will be used over or near the pipeline(s)
- c) Equipment with tracks, as opposed to having tires, is preferred if travel over CountryMark's pipeline is required.
- d) Trucks carrying a maximum axle load up to 15,000 pounds may cross the ROW after CountryMark has confirmed a minimum 48 inches over the pipeline.
- e) When temporary fill must be added, colored sheets of plastic shall be placed under the temporary fill at original grade so that the original grade will not be disturbed when the temporary fill is removed.
- f) Site conditions (such as damp soil) may require that the crossing location be matted or provided with additional cover to compensate for soil displacement due to the subsidence of tires.
- g) For all other cases, earthen ramps, swamp mats, air bridges, reinforced concrete slabs, one (1) foot thick timber matting, or steel plates may be required.
- h) If CountryMark determines that matting is required, the mats shall be placed on a minimum of two (2) feet undisturbed earth above the pipeline and oriented with the timbers perpendicular (across) the pipeline. Enough mats shall be placed to



cover the complete width of the proposed crossing.

- i) At all crossing locations, the Crossing Party will provide 12” of clean AASHTO 1 stone over the pipeline ROW.
- j) CountryMark will limit the number of temporary construction roads constructed by the Crossing Party.
- k) Alternate means of protecting the pipeline must be approved by CountryMark.

8.0 Railroad Crossings

8.1 General Requirements:

- a) A minimum clearance of 72 inches is required between railroad tracks and the pipeline.
- b) A minimum cover of 36 inches is required between the bottom of drainage ditches on either side of a railroad and the pipeline.
- c) For railroad main lines, the pipeline crossing must comply with local railroad guidelines that delineate the requirements for carrier pipe, casing pipe, and clearances. CountryMark shall be consulted for the review of any State submittals.
- d) For private spur crossings, CountryMark will determine the railroad entity having jurisdictional authority to dictate crossing requirements

9.0 Farming and Field Tile

9.1 General Requirements:

- a) Field tile running parallel to the pipeline shall be spaced 10 feet from the centerline of the pipeline.
- b) Field tile shall cross the pipeline perpendicularly with a clearance of 12 inches above or below the pipeline.
- c) Deep plowing or “ripping” operations shall be approved by and coordinated with CountryMark.

10.0 Construction-Induced Vibrations

10.1 General Requirements

- a) Construction activities that generate ground vibrations, including, but without limitation, pile driving, sheet driving, soil compaction work, jackhammering, or ramming shall be reviewed by CountryMark on a *case-by-case* basis.
- b) If the Crossing Party anticipates such an activity with 10 feet of the pipeline, then continuous testing monitored by seismograph is located directly over the pipeline at the closest point to the activity must be conducted. The Crossing Party shall provide, at their expense, the monitoring service which must be approved by CountryMark.
- c) The particle velocity of any one component of a three-component seismograph



must not exceed 2.0 inches per second as recorded on the seismograph placed directly over the pipeline.

11.0 Blasting Operations

11.1 Blasting within 500 feet of the pipeline ROW:

- a) The Crossing Party must submit a blast plan to CountryMark for review and approval. Verbal and written notice will be given 14 and 21 days respectively.
- b) Blasting plans must include the following information:
 - Dates blasting to occur
 - Explosive type
 - Maximum shot hole depth and diameter
 - Number of holes and spacing
 - Delay pattern
 - Delay types and intervals
 - Depth of overburden
 - Depth of blast area
 - Maximum charge per hole, per delay
 - Show drilling/blasting pattern plan and profile in relation to CountryMark facilities
 - Calculated radiant peak particle velocity (PPV) at varying distances from the pipeline at the pipeline itself
 - State permit (copy)
 - Blasting contractor qualifications and insurance certificate (copy)
 - Blasting Safety Plan (copy)

The Crossing Party shall complete “Blasting Plan Submission Form”, and include this form with their submission to CountryMark.

- c) The Crossing Party shall arrange for a CountryMark representative to be present to witness the blasting operations.

11.2 Blasting within 300 feet of the pipeline ROW:
(Adds to or replaces items in section 12.1)

- a) Blasting shall be monitored by a seismograph located directly over the pipeline at its closest point to the blast hole(s). The Crossing Party shall provide, at their expense, the monitoring service, which must be approved by CountryMark.
- b) The particle velocity of any one component of a three-component seismograph must not exceed 2.0 inches per second as recorded on the seismograph placed on the ground directly over the pipeline.
- c) For blast testing, an initial test blast using a maximum charge of one pound shall be performed. The Crossing Party shall detonate the first test blast with all necessary monitoring equipment in place to observe the results of the proposed blast design. Each subsequent test blast may be set and detonated only after the seismograph reading from the previous test blast indicates that further blasting can be safely conducted.
- d) Routine production blasting may be initiated after completion of a successful test blast, with allowable charge based on the seismograph vibration recordings of test



blasts. However, all blasting must be continuously monitored by a seismograph. The velocity recorded must not exceed the 2.0 inches per second limit noted above.

11.3 Blasting within 50 feet of the pipeline ROW:
(Adds or replaced items in section 12.2)

- a) The Crossing Party shall hire a consulting firm that specializes in underground blasting to conduct the seismograph survey and certify the results.
- b) CountryMark will approve the Crossing Party's selection of consulting firms that will conduct the seismographic surveys before starting any blasting operation.

11.4 Special Requirements:

- a) For multiple-delay blasting, the Crossing Party shall begin the blasting sequence at the charge closest to the pipeline and progress away from the pipeline.
- b) If seismographic readings above the limit stated in item 12.2.b of this section are recorded, the pipeline must be exposed and inspected for possible damage and/or product release. The Crossing Party conducting blasting operations is responsible for all expenses related to the exposure and any subsequent repairs necessitated by the operation.
- c) At CountryMark's request, the Crossing Party shall install sheet piling, open trench channels, and/or matting to protect the pipeline during blasting.

12.0 Seismic Vibrating Operations

12.1 Seismic vibrating within 500 feet of the pipeline ROW:

- a) The Crossing Party must submit a seismic vibrating plan to CountryMark for review and approval. Verbal or written notice will be given 14 and 21 days respectively.
- b) Seismic vibrating plans, when using Vibroseis System Vibrators to radiate ground vibrations, must include information on soil conditions and depth of exploration, the anticipated number and type of vibrations, type and weight of vehicle, and peak force of equipment.
- c) The peak force by vehicle weight shall not exceed 45,000 pounds.
- d) The Crossing Party shall also arrange for a CountryMark representative to be present to witness the seismic vibrating operation.

12.2 Seismic vibrating within 100 feet of the pipeline ROW:

- a) Vibration shall be monitored by a seismograph located directly over the pipeline at its closest point to the vibrator(s). The Crossing Party shall provide, at their expense, the monitoring service, which must be approved by CountryMark.
- b) The Crossing Party shall determine and limit the maximum peak force allowed under continuous seismographic vibration monitoring such that peak particle



velocity will not exceed 2.0 inches per second.

- c) Seismic vibration surveys shall not be conducted closer than 100 feet to the pipeline.

12.3 Special Requirements:

- a) If seismographic readings above the limit stated in item 12.2.b of this section are recorded, the pipeline must be exposed and inspected for possible damage and/or product release. The Crossing Party conducting seismic vibrating operations is responsible for all expenses related to the exposure and any subsequent repairs necessitated by the operation.
- b) At CountryMark's request, the Crossing Party shall install sheet piling and/or open trench channels to protect the pipeline during seismic vibrating operations.

13.0 Wind Turbines

13.1 Setback Distance from Pipelines

- a) Wind turbine structures shall be set back from any CountryMark pipeline at least a distance equal to 110% of the structure height, which is defined as the height of the entire wind turbine system as measured from the bottom of the base to the highest vertical point of the system including the base and tower at the highest reach of the turbines or blades.
- b) No facilities associated with a wind turbine installation project shall be permitted to be installed within the pipeline easement.
- c) Warning lights shall be installed on all wind turbines that are located within 1,200 feet of any CountryMark pipeline.

13.2 Construction Equipment and Crane Crossings

- a) All temporary access roads and heavy/construction vehicle crossing shall comply with Section 7 above.
- b) Where cranes and other maintenance vehicles will need to cross CountryMark pipelines on a routine permanent basis for maintenance of the turbine(s), permanent crossing locations must be established, an encroachment agreement must be signed by the landowner and facility owner, and permanent crossing protections must be installed to the satisfaction of CountryMark.
- c) Construction materials or equipment shall not be transported longitudinally over CountryMark's pipelines.

13.3 Underground Utilities

- a) Cables and electrical conduit shall comply with Section 6.5 above.
- b) CountryMark may require at the expense of the Crossing Party an AC Arc Fault



Study, specific to the Crossing Party's project encroachments. The study will determine if there is adequate AC Arc Fault protection and separation from CountryMark's facilities. CountryMark will arrange for the engineering, design and installation of AC mitigation and Lightning suppressions systems, as deemed necessary by the AC Arc Fault Study. The reasonable cost of such AC remediation and Lightning suppressions systems shall be submitted to the Crossing Party for review and approval, which approval shall not be unreasonably delayed, conditioned or withheld, and, upon approval such reasonable cost will be prepaid by the Crossing Party to CountryMark.

14.0 Solar Farms and Solar Panels

14.1 Setback Distance from Pipelines

- a) No panels or permanent structures are permitted in the ROW or easement.
- b) For cases where panels or permanent structures are proposed outside of the ROW or easement, they shall be 100 feet from any CountryMark pipeline:
 - [1] To mitigate risk against induced vibrations due to pile driving
 - [2] To mitigate risk against corrosion interference
- c) Fencing shall comply with Section 5.3 above

14.2 Construction Equipment and Crane Crossings

- a) All temporary access roads and heavy/construction vehicle crossing shall comply with Section 7 above.
- b) Where cranes and other maintenance vehicles will need to cross CountryMark pipelines on a routine permanent basis for maintenance of the panel(s) or ancillary equipment, permanent crossing locations must be established, an encroachment agreement must be signed by the landowner and facility owner, and permanent crossing protections must be installed to the satisfaction of CountryMark.
- c) Construction materials or equipment shall not be transported longitudinally over CountryMark's pipelines.

14.3 Electrical Design and Risk Assessment

- a) A risk assessment showing the impacts of the effects of a rise of earth potential (touch and step potentials and possibility of voltage exceeding the dielectric strength of pipeline coatings), under fault conditions, shall be submitted to CountryMark for consideration prior to the commencement of any construction work.
- b) Cable diagrams shall be provided to CountryMark that show the proposed location of all electrical cables both buried and aboveground in the vicinity of the pipeline. All electrical cables should be kept out of the ROW.
- c) Both buried and aboveground alternating current (AC) electrical cables shall be routed to avoid the cables running parallel to the pipeline; sub-stations are not permitted in the ROW.



14.4 Underground Utilities

- a) CountryMark may require at the expense of the Crossing Party an AC Arc Fault Study, specific to the Crossing Party's project encroachments. The study will determine if there is adequate AC Arc Fault protection and separation from CountryMark's facilities. CountryMark will arrange for the engineering, design and installation of AC mitigation and Lightning suppressions systems, as deemed necessary by the AC Arc Fault Study. The reasonable cost of such AC remediation and Lightning suppressions systems shall be submitted to the Crossing Party for review and approval, which approval shall not be unreasonably delayed, conditioned or withheld, and, upon approval such reasonable cost will be prepaid by the Crossing Party to CountryMark.
- b) Cables and electrical conduit shall comply with Section 6.5 above.

15.0 Deviations and Exceptions

- 15.1 When and where special circumstances dictate, deviation from these requirements must be formally approved by CountryMark in writing prior to commencement of any excavation or other construction activity that may impact the pipeline. Such deviations must be explained and documented prior to CountryMark for review and approval.



Attachment 1: CountryMark Right-of-Way and Engineering Contacts

NAME	RESPONSIBILITY	PHONE/E-MAIL
Jason Kolley	Land/Legal/ROW Supervisor	812-838-8160 Jason.Kolley@Countrymark.com
Darlene Risher	One Call Coordinator	812-838-8513 Darlene.Risher@Countrymark.com
Brandon Werner	Pipeline Engineer	812-833-2598 Brandon.Werner@Countrymark.com
Blair Currie	Pipeline Integrity Manager	812-838-8555 Blair.Currie@Countrymark.com
Erin Mara	GIS Specialist	812-833-2512 Erin.Mara@Countrymark.com

Visit www.countrymark.com for more information about Countrymark Refining and Logistics, LLC.



Attachment 2: APPLICATION FOR DESIGN PLAN, SUBMISSION, AND ENCROACHMENT REVIEW

Prior to completing the following Application for Design Plan Submission and Encroachment Review (application), please review these instructions to determine if an application is required and to ensure that all necessary information has been obtained. Failure to follow these instructions and/or failure to provide the required information will delay the review process.

One Call Notification - To prevent damage to pipeline facilities from subsurface excavation or any activity that disturbs or impacts the depth of cover over underground utilities, CountryMark participates in “One-Call” organizations in all the states in which CountryMark has operating facilities. Placing a one-call notification will put you in contact with the appropriate CountryMark Representative.

CountryMark Field Representative Coordination - Discuss with CountryMark Field Representative a summary of the project and potential encroachments. The CountryMark Field Representative will determine if any additional information such as pipeline depth of cover is necessary and if an application is required.

Application and Plan Submission –

SUBMIT PROVIDED APPLICATION AND REQUIRED PLANS TO:

Encroachments@Countrymark.com

With subject line reading: “Encroachment Review Application”

CountryMark requires a minimum of 90 days for technical review upon receipt of application and complete and accurate design plans. Submission of plans electronically is preferred.

Relocation or Modification – Should the initial encroachment review result in determination that CountryMark facilities must be relocated or modified because of the request, additional review time may be required. A Feasibility Study will be performed to prepare a preliminary scope of work, cost estimate, schedule and project plan; the cost of such preliminary engineering, survey and design will be the responsibility of the Encroaching Party. A Preliminary Reimbursement Agreement and/or Full Construction Reimbursement Agreement must be executed before the design and relocation or modification will commence. A Letter of No Objection or Encroachment Agreement will be issued, which will authorize the construction of the proposed encroachment under certain terms and conditions.

Permission/Notification – A fully-executed Approval Letter, Encroachment Agreement, and/or Technical Services Agreement is needed prior to construction. CountryMark must be notified 10-days prior to construction to allow for scheduling of a CountryMark representative to be present during all construction activities. It is also the Encroaching Party’s responsibility to notify the owners of any other pipelines, communication lines, other third party property or facility owners located within the proposed project area and to secure and additional needed rights from these parties where CountryMark’s rights are limited.

If construction does not commence within three calendar years of the issued approval, a new application must be submitted. CountryMark shall have the right to reconsider the conditions and privileges granted, and have full right to consider current policies and procedures at the time of resubmission.



CountryMark[®]

ENCROACHMENT APPLICATION

Today's Date:

One-Call Ticket No:

SECTION 1A - CONTACT INFORMATION

SECTION 1B - LEGAL INFORMATION

APPLICANT NAME, COMPANY

NAME/COMPANY

APPLICANT ADDRESS

NAME AND TITLE OF AUTHORIZED SIGNATORY FOR COMPANY

E-MAIL ADDRESS

PHONE NUMBER

ADDRESS

PHONE NUMBER

SECTION 2 - REQUEST TYPE:

PUBLIC WORKS

PRIVATE CONSTRUCTION

Pipeline Shapefile and/or KMZ File - Complete Section 3 and Section 4. Approximate location of pipeline(s) only.

Land/Legal Review - Refer to Section 5. Determine if the proposed encroachment falls within CountryMark easement.

Full Encroachment Review - Complete all sections and required info. Incomplete applications will not be reviewed.

SECTION 3 - PROJECT LOCATION:

Project location is where construction activities are planned in the vicinity of a pipeline and/or right-of-way owned by Countrymark Refining and Logistics, LLC

City/Township:

County:

State:

Survey and Depth of Cover:

Conduct a One-Call to have a CountryMark Logistics Representative mark the CountryMark pipeline(s). Obtain GPS coordinates (Latitude/Longitude) of the crossing location and supply coordinates in table below.

Check here, if plans to perform potholing activities, which must be coordinated with CountryMark at least 10 business days in advance.

SECTION 4 - ENCROACHMENT INFORMATION:

Provide brief description of proposed encroachment:

Check All Encroachment Types that apply below:

Temporary Construction Crossing

Structure (walls, footings, buildings)

Waterway Crossing

Roadway Improvements/Widening

Drainage Channel Improvements

Fence/Landscape

Roadway Paving

Drainage Line (Storm Sewer)

Below Grade Elec/Comms/Fiber

Roadway/Parking/Sidewalk

Utility Line (Water/Sanitary)

Aerial Elec/Comms/Fiber

Unpaved Roadway/Gravel

Foreign Pipeline

Solar Panels

Railway Crossing

Dredging

Wind Turbines

Grading/Add Fill

Heavy Equipment Crossing

Blasting

Other

Enter crossing location(s) with coordinates in decimal format for all selected Encroachment Types:

Latitude

Longitude

Encroachment Type

Latitude

Longitude

Encroachment Type

Upon receipt of coordinates and type of encroachment(s), a request will be submitted to the CountryMark ROW Department to obtain pipeline depth of cover (DOC) information. The encroaching party is required to update all drawings upon receipt of the DOC information from CountryMark by illustrating the pipeline(s) DOC measurement. If DOC cannot be obtained with reasonable means, then the encroaching party will be contacted to discuss methods to verify.

Proposed Construction Date:

SECTION 5 - LAND REVIEW DESCRIPTION:

A land review determines whether the proposed encroachment overlaps with an active CountryMark easement. If it is determined that the easement is a blanket easement, CountryMark may be willing to limit or adjust the easement. The following is included in the land review process and/or limitation request:

1. CountryMark will arrange for the pipeline(s) to be flagged upon request, provided the applicant provides at least 5 days notification. Surveyed locations will not be provided by CountryMark.
2. The applicant must provide a legal description for the new easement area, which will be MINIMUM 100-ft wide (50-ft each side of the pipeline as it now lays).
3. The applicant must provide a plat showing this new easement that will be used as an Exhibit for a Partial Release Document that CountryMark's attorney will prepare.

SECTION 6 - REQUIRED INFORMATION FOR ENCROACHMENT REVIEW: (Auto Generated from SECTION 4)

Drawing and Information Types: *DO NOT CHECK BOXES, AUTOMATICALLY GENERATED*

- | | |
|---|--|
| A | Plan Drawings [see minimum requirements] (CountryMark pipeline(s) DOC shall be noted) |
| B | Plan and Profile/Cross-Section Drawings [plus minimum requirements below] (CountryMark pipeline(s) DOC shall be noted) |
| C | Grading Plan - Slope, contours, drainage/water flow changes, swales and erosion control (if applicable) |
| D | Dredging Plan - Specify dredge equipment and method. Include dredge outline showing depth and width. |
| E | Equipment and Vehicle Specifications - COMPLETE SECTION 7 |
| F | Explosives Specification |
| G | For Items 9, 10, 11, and 16 from SECTION 4 - COMPLETE SECTION 6 |

MINIMUM DRAWING REQUIREMENTS FOR ENCROACHMENT REVIEWS

A) Items to Include for Temporary and Permanent Crossings:

- Drawing number, including revision number and date
- North arrow, scale, legend or proper labels on site plan
- Location indicator including:
 - a) legal land description
 - b) Lat/Long coordinates in decimal degrees
 - c) Crossing location of pipeline(s) affected clearly labeled
- Plan view of the affected area including:
 - a) Lot lines and road limits
 - b) proposed facilities
 - c) location of cathodic test leads terminal, if known and applicable
- Cross section view and/or profile view including:
 - a) For surface structures, show profile along the pipeline(s) with the highest elevation
 - b) For underground facilities, show the profile along the pipeline
 - c) Property lines and pipeline(s)
 - d) Drill path plans for subsurface installations, including alignment and entry/exit
 - e) Unsupported span (ft) of CountryMark pipeline(s) for open cut installations
- Crossing angles
- Method of installation (see Section 6.0 in ROW Guidelines)
- Minimum clearance from CountryMark pipeline(s) clearly labeled

B) Items to Include on Pipe, Cable, Wire, or Line Drawings:

- Pipe diameter and material
- CP System (if applicable)
- Cable, wire, or line size
 - a) Cables, wire or line is within a conduit, conduit material and size
 - b) Voltage, if cable, wire, or line is electric

C) Items to Include on Above-Grade Installations (e.g. road)

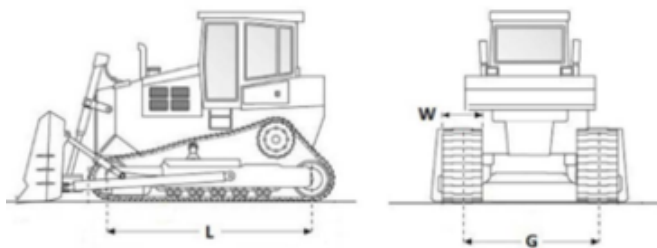
- Dimensions of road, path, or parking lot
- Elevation at ditch
- Elevation at center of the road, path, or parking lot
- Surface material
- Road, path type or usage
- Lat/Long coordinates at the beginning and end of the limits of the crossing in the right-of-way
- Maximum excavation/milling/removing of material from above the pipeline(s)

SECTION 7 - Complete for Utility and Foreign Pipeline Encroachment(s)

A. Indicate Installation Method (check all that apply)	Conventional (open cut method)	Bore (Auger/jack & bore)	HDD (horizontal directional drilling or slick bore)	Tunneling
B. Indicate Crossing Type (check all that apply)	Over Crossing over CountryMark Pipeline	Under Crossing under CountryMark Pipeline		
C. Does each crossing have an angle close to 90° and not less than 45° ?	Yes	No		
D. Does each crossing meet required clearances/cover per ROW Guidelines ?	Yes	No	TBD	

SECTION 8 - Complete for Equipment Crossings

Tracked Vehicles - List heaviest equipment that will cross CountryMark pipeline(s):



NO.	MANUFACTURER:		MODEL:	
1				
2				
	EQUIPMENT DESCRIPTION:		FULLY LOADED GROSS VEHICLE WEIGHT:	
1			lbs	
2			lbs	
	Track Length on Ground (see L in figure):	Track Shoe Width (see W in figure):	Track Gauge on Center (see G in figure):	
1	in	in	in	
2	in	in	in	

Wheeled Vehicles - List heaviest equipment that will cross CountryMark pipeline(s):

NO.	MANUFACTURER:		MODEL:	
1				
2				
	VEHICLE DESCRIPTION:			
1				
2				
	Total Operated/Loaded Weight (lbs.)		Max Weight Per Axle (lbs.)	
1				
2				

DISCLAIMER AND CONSIDERATIONS:

CountryMark will review the material submitted and may contact you to discuss the project, if needed. All requests are handled in the order they are received. The time required to conduct an encroachment varies depending upon the volume of requests received, the nature of the proposed encroachment and the proximity to CountryMark pipeline assets. The approximate timeline for a full review is 90 days from the date all requested information is received; however, this timeline is subject to change.

With the submission of this application, I certify that the information provided is accurate and I realize that incomplete information may delay or invalidate this application. I also acknowledge that submitting this application does not guarantee approval of my request.

SIGNATURE OF APPLICANT: