

ENVIRONMENTAL ACCESS PROCESS INSTRUCTIONS

Licensing Process:

1. Once the application package is received by Jones Lang LaSalle (JLL), the application and drawing will be forwarded to the engineering firm to prepare the Exhibit "A" drawings for the contract. **This process takes approximately 10 to 15 working days.**
2. When the Exhibit "A" is completed, information will be forwarded to BNSF's local Roadmaster for approval.
3. If you will be sampling surface or subsurface soil, sediments, groundwater or installing wells or other facilities associated with the environmental investigation or remediation, you must submit a Work Plan. BNSF has partnered with TRC Environmental Corporation (TRC), a company committed to providing professional services to review the Work Plan. The Work Plan should be sent to TRC at the same time as the application is submitted to JLL for processing.

The Work Plan to be submitted must address the following items:

- Point of Access
- Outline of Areas to be impacted both on the drawing and on an aerial from Google Earth
- Sampling locations (surface or subsurface soil, sediments and groundwater)
- Methods of securing sample, frequency of samples, chemical analyses
- Health and safety measures for Applicant's Workers, Railroad Workers and any other workers on the site.
- Training required for onsite workers (BNSF Contractor Orientation, 40 hour OSHA, etc.)
- Pollution prevention measures
- Runoff Management
- Waste Management and disposal plan
- Plugging, abandonment of physical features added to the site by Applicant
- Site restoration plan
- Expected Date of data to be shared with BNSF
- Copies of any decree, consent order, etc. which is governing the proposed work by Applicant

The Work Plan will only be reviewed if it is accompanied by a check for the correct amount as calculated on the Environmental Fee Calculator form. Please submit the Work Plan, the completed Environmental Fee Calculator form (see page 5) and your payment to:

TRC Environmental Corporation
Attn: BNSF Program Manager
10011 Meadowglen Lane, Suite 100
Houston, TX 77042

Please note that the Applicant will be required to submit a photograph of the subject area before and after the site work. **This process takes approximately 15 working days.**

4. Once approvals have been received, a contract will be prepared and two (2) copies will be forwarded to you for an original signature. A letter will be sent to you that will provide directions regarding insurance and any additional fees.
5. Return the signed contracts (2 contracts with original signatures), along with the appropriate **payment** to JLL's Permits Department.
6. The final contracts, with original signatures, will be presented for execution provided all payments have been received, the Environmental Work Plan has been approved and insurance is in compliance.
7. Once the contract is executed, one original will be returned to you for your files.
8. Prior to commencing any work on the Premises, Licensee shall complete and shall require its contractor (all parties who will be working on the site) to complete the safety training program at Internet Website <http://www.contractororientation.com>. This training must be completed no more than one year in advance of Licensee's entry on the Premises.
9. The cover letter and the executed contract will list the Roadmaster's name and phone number. **You will need to contact the Roadmaster ten (10) days prior to beginning any work.**

Process Time:

Please be advised that the average time period for completion of this process is **approximately 4 weeks** from the time that the application is received. Every effort will be made to complete this process in a timely manner.

Insurance Requirements for the following Agreement:

Commercial General Liability Insurance	Contractual Liability with a combined single limit of a minimum of \$2,000,000 each occurrence and an aggregate limit of at least \$4,000,000.
Business Automobile Insurance	Combined single limit of at least \$1,000,000 per occurrence.
Workers Compensation and Employers Liability Insurance	Employers' Liability with limits of at least \$500,000 each accident, \$500,000 by disease policy limit, \$500,000 by disease each employee.
Railroad Protective Liability Insurance	Coverage of at least \$2,000,000 per occurrence and \$6,000,000 in the aggregate, with the exception of New Mexico in which coverage is \$5,000,000 per occurrence and \$10,000,000 in the aggregate.
Severability of interest and naming Licensor and JLL as additional insured's shall be indicated on the certificate of insurance above (excluding Workers Compensation).	
Please note: These limits are subject to change without notice. An Agreement will be provided to you, which contains details concerning insurance requirements.	

Please send the following to JLL so we may process your License request:

1. **Completed Application.**
2. **\$600 non-refundable processing fee.** Check should be made payable to BNSF Railway Company. Please ensure all information is accurate, as each change will add an additional \$600 to the processing fee.
3. **Two sets of drawings** for the area to be occupied. (Include: streets, distance from tracks and streets, mileposts if available and any distinguishing land marks.)

Forward to:
 Jones Lang LaSalle
 Attn: Permit Services
 3017 Lou Menk Drive
 Ft. Worth, TX 76131-2800

Please send the following to TRC so we may review your License request:

1. **Proposed Work Plan.**
2. **Completed Environmental Fee Calculator form and all applicable fees.** Check should be made payable to TRC Environmental Corporation.

Forward to:

TRC Environmental Corporation
Attn: BNSF Program Manager
10011 Meadowglen Lane, Suite 100
Houston, TX 77042



APPLICATION FOR ENVIRONMENTAL ACCESS AGREEMENT

Jones Lang LaSalle
Attn: Permit Services
3017 Lou Menk Dr., Suite 100
Fort Worth, TX 76131-2800

Applicants Tax ID #
or SS #

We submit for your approval the following application for Environmental Access on BNSF RAILWAY COMPANY'S right-of-way, as shown on the enclosed location plan and detailed sketch.

Applicant understands he or she will be requested to sign a standard Environmental Access Agreement which will require Applicant to:

- 1. provide a copy of the proposed work plan,
2. furnish insurance as requested by BNSF Railway Company, and
3. submit a \$1,000 deposit that will be returned once BNSF receives a final report.

Legal name of company/municipality who will occupy the property:

If a corporation, State in which incorporated: (If not incorporated, please attach name(s) of owners or partners.)

Mailing Address:

Daytime Phone: FAX:

Contact Name: Email Address:

Is this project ARRA funded? Yes No

Is applicant a condemning authority? Yes No

Is applicant a Railroad Shipper? Yes No

If yes, BNSF Marketing Rep. name: Phone #

Was this service requested by BNSF? Yes No

If yes, person requesting service: Phone #

Is this installation in conjunction with a track or track expansion project? Yes No

If yes, BNSF contact name: Phone #

Name of nearest town on RR County State

Location of proposed occupancy: 1/4 Section Township Range

Railroad Mile Post Latitude Longitude

How far from the track will the work be performed? ft.

Is work to be performed within 50 ft. of RR property? Yes No If yes, what percentage?

Area to be occupied: ft. (x) ft.

Length of time for project: Date from: Date to:

Purpose of Testing:

Date:

Signed:

Print Name:

Title:

Phone #: FAX:

If you require additional assistance, please contact Heather Calhoun @ Heather.Calhoun@am.jll.com.



APPLICATION FOR ENVIRONMENTAL ACCESS AGREEMENT

Environmental Fee Calculator

This sheet is to be completed for each permit requested. The Environmental Fee calculated here is in addition to the Application Fee submitted to JLL. At the time the completed Application for an Environmental Access Permit and Application Fee are submitted to JLL, the Work Plan, Environmental Fee Calculator Form and all associated fees should be submitted to TRC.

Send to:

TRC Environmental
Attn: BNSF Program Manager
10011 Meadowglen Lane, Suite 100
Houston, TX 77042

<u>Item</u>	<u>Cost per Unit</u>	<u>Total Cost</u>
One time fee for Document Review and processing of environmental application.	\$1,250	\$1,250
One time fee for requesting surface soil and sediment samples only (no borings)	\$1,000	
One time fee for requesting installation of wells and/or soil borings	\$2,000	
Annual Fee for number of locations to be sampled (Each well, boring, surface soil, surface water, sediment sampling location is considered a sampling location. No extra fee for samples at multiple depths at the same location.) Number of samples (x)	\$250	
Annual Fee for Permit Continuation Fee Permit duration (years) (x)	\$600	
Installation of structures (fee to be determined after review of the work plan)	TBD	
One time Refundable deposit (<i>Deposit will be refunded only upon:</i> a) <i>a written request to cancel the permit,</i> b) <i>submission of a report, with photographic documentation, that the site has been restored,</i> c) <i>all waste managed properly,</i> d) <i>the Applicant has provided all data and reports to BNSF and</i> e) <i>compliance with Permit conditions in full.</i>)	\$1,000	\$1,000
	TOTAL	\$