

ENVIRONMENTAL ACCESS PROCESS INSTRUCTIONS

Licensing Process:

1. Once the application package is received by Jones Lang LaSalle Brokerage, Inc. (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
10550 Richmond Ave, Suite 210
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. Photographs in all cases should include a landmark which will help identify the area. **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.BNSFcontractor.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. **\$800 non-refundable application fee.** This is not in lieu of a permit agreement fee. Check should be made payable to BNSF Railway Company. Please ensure all information is accurate, as each change will add an additional \$800 to the application fee.
3. **One set of drawings** (no larger than 11 x 17) 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 Brokerage, Inc.
 Attn: Permit Services
 4200 Buckingham Drive
 Suite 100
 Ft. Worth, TX 76155

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
10550 Richmond Ave, Suite 210
Houston, TX 77042



APPLICATION FOR ENVIRONMENTAL ACCESS AGREEMENT

Jones Lang LaSalle Brokerage, Inc.
Attn: Permit Services
4200 Buckingham Drive.
Suite 100
Fort Worth, TX 76155

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 upon request providing all final reports have been received, the property has been returned to prior condition and request is made within 90-days of project completion.

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 the work to be conducted under an agency oversight? Yes [] No []

If yes, agency name. Enclose a copy of the consent order, decree, etc. _____

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: _____

Total Cost of Project: \$ _____

Purpose of Testing: _____

Date: _____

Signed: _____

Print Name: _____

Title: _____

Phone #: _____ FAX: _____



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 Jones Lang LaSalle Brokerage, Inc. (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. Modifications to the scope of work or investigation processes will require submission of a revised Work Plan and additional fees, including the Document Review Fee.

Send to:

TRC Environmental
Attn: BNSF Program Manager
10550 Richmond Ave, Suite 210
Houston, TX 77042

Item	Cost per Unit	Total Cost
One-time fee for Document Review and processing of environmental application.	\$2,000	\$2,000
One-time fee for requesting surface soil and sediment samples only (no borings or non-intrusive surface sampling).	\$1,000	
One-time fee for requesting installation of wells and/or soil borings and geophysical investigations.	\$2,000	
Annual Fee for number of locations to be sampled. (Samples can be from wells, borings, surface soils, surface water, sediments or those obtained from nonintrusive methods. No extra fee for samples at multiple depths at the same location.) Total number of samples during life of the project (x)	\$250	
Annual Fee for Permit continuation beyond first year. Permit duration (years) (x)	\$600	
Operation of any form of recovery system exclusive of the treatment unit. (This fee is in addition to the one-time fee for installation of wells/borings) No. of years (x)	\$1,000	
Soil Excavation (This fee is in addition to any sample fee calculated above.)	\$1,000	
Other remedial activities or installation of structures.	TBD	
One time Refundable deposit (Deposit will be refunded only upon: a) a written request to cancel the permit, b) compliance with Permit conditions in full and work plan.)	\$1,000	**\$1,000
	TOTAL	\$

If you require additional assistance, please contact BNSFROE@trcsolutions.com.

**Should BNSF see the need to split samples with the applicant, additional fees will be due. The applicant will be informed of the additional amount as soon as the applicant review is complete. Further processing will occur only upon applicant's acceptance to split samples and payment of additional fees.