



US Department of Transportation's Emergency Order
Dated: 7 May 2014
Bakken Crude Oil Train Counts - Disclosure to the SERCs

Organization Obtaining the Information: _____

Contact Person: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____
(Street Address)

(City, State, Zip)

Preferred method to receive report: [] Email [] U.S. Mail (Mark One)

By signing below I acknowledge and agree to the terms set forth by BNSF for use and dissemination of BNSF's Bakken crude oil train count information. BNSF considers this information to be confidential business information and restricted information of a security sensitive nature. I thus affirm and agree that the information provided by BNSF in this report will be used solely for and by bona fide emergency planning and response organizations for the expressed purpose of emergency and contingency planning. If the recipient of this agreement or any of its representatives receives a request to disclose any part of the Confidential Information under the terms of a Freedom of Information Act request, subpoena or order issued by a court or other governmental body with the power to compel compliance with its requests, the recipient shall (i) notify BNSF Railway Company immediately of the existence, terms and circumstances surrounding the request, (ii) consult with BNSF Railway Company on the advisability of taking legally available steps to resist or narrow such requests, and (iii) if disclosure of such Confidential Information is required to prevent the recipient from being held in contempt or subject to other penalty, (iv) furnish only such portion of the Confidential Information as, in the written opinion of counsel satisfactory to BNSF Railway Company, the recipient is legally compelled to disclose, and (v) use its best efforts to obtain an order or other reliable assurance that confidential treatment will be accorded to the disclosed Confidential Information.

(Signature of person requesting commodity flow information)

Return Completed Form to:

Patrick Brady
Director, Hazardous Materials Special Operations
BNSF Railway
Patrick.Brady@bnsf.com
Fax 817-740-7250

For [RAILROAD] Use Only

[PERSON RESPONSIBLE FOR APPROVAL]: ___Yes___ NO Date: _____

Hazardous Materials Service Support:

Date Request Received: _____

Time Period Covered: _____

Date Report Sent: _____

Report sent via: [] Email [] U.S. Mail