

2014

Sinclair Transportation Company
The Denver Products Terminal



COMMERCE CITY

**SUBMITTAL FOR:
CONDITIONAL
USE PERMIT**

[NARRATIVE]



Denver Products Terminal – Property Characteristics

Location Description

The Denver Products Terminal is located in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 16, Township 2 South, and Range 67 West. *A certified boundary survey is provided in Appendix B.* The property can be described as having a triangular shape. According to the Adams County Assessor, the property incorporates two (2) separate parcels, identified with the Parcel Identification Numbers 0172116007001 and 0172116007017. Combined, the parcels total approximately 37.04 acres in size (or 1.25 and 35.79 acres separately). *A photograph of the property is provided in Figure 1.*

Figure 1: Aerial Photograph



The topography in the area is relatively flat, with the South Platte River located approximately 1 mile to the west, the Burlington Ditch located approximately 0.75 miles to the east, and the First Creek also located approximately 0.75 miles to the east. The topography on the property is also relatively flat, gently sloping to the north, northwest. According to the Federal Emergency Management Agency (FEMA)'s website and interactive mapping service, the property is not situated in any federally designated floodplains. The Flood Insurance Rate Map (FIRM), Map Number 08001C0607H, identifies the property as being located in an unshaded 'Zone X' area. The unshaded Zone X area is defined as areas that are determined to be outside the 0.2% annual chance floodplain. According to the interactive mapping service of the National Wetlands Inventory provided by the U.S. Fish and Wildlife Service, the property is not situated in any federally designated wetlands. *The FIRM and corresponding legend is provided in Figure 2 and the National Wetlands Inventory is provided in Figure 3.*



Figure 2: FIRM of Property and Legend

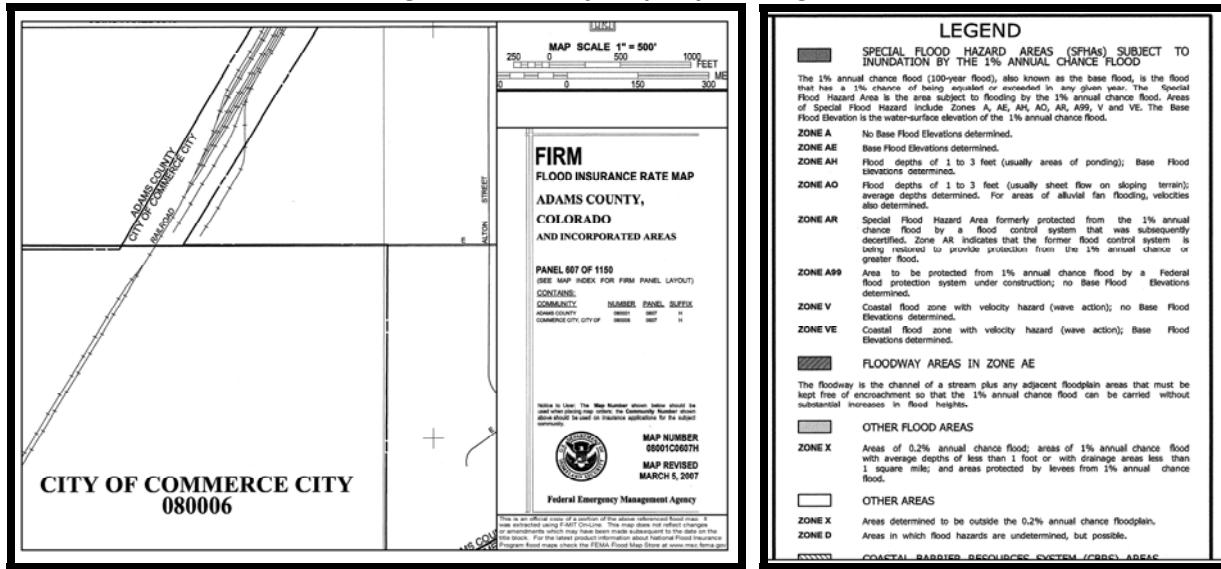


Figure 3: National Wetlands Inventory of Property



Surrounding Area Compatibility and Neighborhood Harmony

The Denver Products Terminal is compatible with the surrounding area and neighboring uses, as the area is comprised primarily of industrial businesses and activity.

Surrounding businesses such as Veolia ES Technical Solutions LLC, a hazardous and non-hazardous waste disposal facility, R/W Specialties Inc., a wholesaler of specialty building products, UE Compression LLC, a custom air and gas compression package manufacturer, Kelly Pipe Co., LLC, a



distributor of steel pipe and fittings, and RK Mechanical, a plumbing, mechanical and process pipe contracting and fabrication company, conduct operations in a similar industrial manner. Therefore, a definite harmony and compatibility with the surrounding area and neighborhood exists. *Figure 2 of the Statement of Operations identifies the location of these adjacent and adjoining properties.*

Sinclair has fostered and maintained positive relationships with the neighboring properties, having no complaints or negative interactions. Due to screening methods such as fencing and landscaping, operations that are conducted at the facility are not readily visible to the surrounding properties. This has helped the facility in continuing to maintain harmony with the surrounding properties.



Denver Products Terminal – Proposed / Future Operations

Butane Blending Project – Sunoco Logistics Business Overview

Sunoco Logistics Partners L.P. (NYSE: SXL), headquartered in Philadelphia, is a master limited partnership that owns and operates a logistics business consisting of a geographically diverse portfolio of complementary crude oil, refined products and natural gas liquids pipeline, terminalling, and acquisition and marketing assets. SXL's general partner is a consolidated subsidiary of Energy Transfer Partners, L.P. (NYSE: ETP).

Sunoco Logistics Partners L.P. purchased a butane blending business from Texon L.P. in June of 2010. The business consists of patented technology for sophisticated blending of butane into gasoline, and contracts with several large terminal operators utilizing the patented technology, butane inventories, and other related assets. Additionally, the business consists of over seventy full-time personnel that oversee a blending program utilized by products terminals and pipelines. The Denver Products Terminal plans to utilize Sunoco Logistics' butane blending system and program. Upon commencement, Sinclair will be the owner of the system equipment while Sunoco Logistics Partners L.P. will be the operator of the system on behalf of Sinclair. The system and related services are further explained later in this document.

Butane Blending Project Description

In petroleum refineries, various processing units break down crude oil into a number of petroleum components. These components are blended by refiners in varying proportions to make gasoline.

Federal, state and local regulations establish seasonal specifications for gasoline that are designed to ensure proper operation of motor vehicles. One component of these regulations is volatility, or the speed at which the liquid gasoline turns to vapor, and is measured by the vapor pressure of the gasoline. The higher the vapor pressure, the more readily the gasoline vaporizes. Regulations are set such that gasoline used in motor vehicles has a vapor pressure high enough to ensure the ease of starting an engine, but not so high where it may contribute to vapor lock of the engine. Vapor pressure specifications vary by season and region to reflect different climatic conditions. Generally, colder weather requires a higher minimum vapor pressure for engines to start up quickly and smoothly, and hotter weather requires a lower maximum vapor pressure to avoid too much vaporization of the gasoline. One of the petroleum components used in gasoline blending is butane. Butane, a lighter hydrocarbon molecule, is blended in different proportions, according to the season, to help regulate the vapor pressure of gasoline.

Sinclair will utilize Sunoco Logistics' patented automated butane blending system and program, which ensures a responsible, efficient and safe method of blending butane into gasoline. Gasoline is tested for the required volatility properties, including vapor pressure. These results are automatically compared to the pre-programmed specifications for that product. The system logic calculates the amount of butane that can be blended into the gasoline and still ensure that all regulatory requirements



are met. The system monitors real-time gasoline throughput volumes and communicates with an array of valves and meters to inject the appropriate amount of butane into the gasoline. In addition to real-time blend adjustments, the blending system catches potential product anomalies immediately. By utilizing fast loop technology, the gasoline stream is constantly monitored, as opposed to scheduled tank samples and lab testing that would catch any quality disruption in a less timely fashion.

Butane blending systems come in a variety of sizes, depending on the activity of the terminal where the system is being installed. The purpose of the butane blending system is to inject butane, as an additive, into gasoline and thus create a blended product which meets allowable EPA volatility specifications. The system will draw a small stream of gasoline from a product pipeline, analyze its properties, process the information and then determine the amount of butane that can be safely blended into the gasoline. It will then send a signal to logic controllers which will allow the pump to draw butane from the tank and monitor the flow of butane into the gasoline through injector valves.

At the Denver Products Terminal, Sunoco's construction will consist of installing two (2) 60,000 gallon LP tanks, each on 2 piers, a 40 horsepower pump; two pre-fabricated equipment enclosures, various skids, a few 225 gallon tanks for sampling return, a Variable Frequency Drive (VFD) Panel, an off-Load Station, a closed-system of process piping, and protective bollards and/or guardrails. There will also be some electrical and fiber communications wiring installed. The entire process is constructed over and above the NFPA regulations for LP gas, and in compliance with International Building Codes (IBC) and International Fire Codes (IFC). The equipment enclosures, sampling tanks, and various skids will be located to the west of Sinclair's existing MCC Building, on the south-central portion of the property and will not be visible from East 96th Avenue. They will also be protected by safety bollards. The LP tanks and VFD Panel will be located on the south-eastern portion of the property. *A brief scope of work for the construction of the butane blending system is provided in Appendix G of this document.*

The proposed operations site plan provides a visual indication of the small footprint for each of these pieces. The on-site butane truck circulation will match that of the existing truck circulation. The butane trucks will arrive and enter the western-most gate off of East 96th Avenue with a full load. They will drive up to the off-load station, exchange information with the operators before unloading the butane, then unload and drive through an open bay of the existing truck-rack to exit through the eastern-most gate along East 96th Avenue. The off-load station will be located on the south-western portion of the property near the existing rail loading and off-loading operations. The off-load station will also be protected by safety bollards.

Structures for the butane system addition will be comprised of two (2) pre-fabricated equipment enclosures to house and protect the equipment from the elements. These will arrive on-site having been fully inspected, state-labeled and registered. Enclosed with this submittal is a single-copy submission of a Materials Board, to identify the actual material and color to be used for the exterior walls of the pre-fabricated structures. *Photographs of similar butane blending systems and components are provided in Appendix H of this document. Photographs of similar pre-fabricated equipment enclosures to be installed are provided in Appendix H as well as included on Sheet 6 in Appendix I: Development Plan.*



New Storage Tank Construction Description

A new storage tank is proposed to be constructed within the earthen diked containment that surrounds the existing storage tanks. This tank will be an internal floating roof tank, constructed with carbon steel; it will be internally coated with an epoxy and externally coated with a polyurethane-based paint, to protect the steel from corrosion. The tank will be designed to be 135 feet in diameter, 50 feet in height, and will have the capacity to store approximately 120 thousand barrels (or 5,040,000 gallons). Appropriate geotechnical investigation and design will be performed before construction of the tank or tank foundation. The subsurface will be graded and compacted accordingly, following appropriate civil engineering design specifications calculated for the tank's foundation. The tank will sit on a concrete spread-foot foundation, also built to specification. Detailed construction design and documentation will be provided during submission for a building permit. Correspondence and calculations regarding air quality permitting have been initiated through the Colorado Department of Public Health and Environment's (CDPHE) Air Pollution Control Division (APCD).

Similar to the existing storage tanks at the facility, product will be transferred for storage to this tank by means of a closed system of piping, valves, and a pump. Product is delivered on-site through a network of existing, off-site pipelines.

Phasing of Projects

Construction of the butane blending system is anticipated to begin in July 2014 with an anticipated completion of construction by the end of September 2014.

Construction of the new storage tank is anticipated to begin in October 2014 with an anticipated completion of construction by the beginning of the 2015 year.

A detailed Development Plan for the facility and the proposed operations is provided in Appendix I of this document.



Operational Structure

Facility's Operating Structure		
Structure	Current	Proposed
Hours of Operation (personnel)	9.5	9.5
Hours of Operation (trucking)	24	24
Days per Week (personnel)	5	5
Days per Week (trucking)	7	7
Number of Employees	7	7

Traffic

Currently, the facility operates with an average peak daily trip of approximately 150 to 180 trucks per day. This average peak daily trip is considered to be during the busier months of the year. Therefore, the minimal increase in the volume of 2 to 3 trucks per day as a result of the proposed butane blending system will not impede the existing traffic patterns either at the facility or on East 96th Avenue. Furthermore, the construction of the butane truck off-loading station will provide more room for the entry and waiting of current trucks, ultimately helping traffic patterns as they exist today.

Utilities

There will be no addition of new utilities on the property as the proposed additions will not change the fundamental operations of the facility.

The South Adams County Water and Sanitation District has provided a 'Can Serve Letter' acknowledging that the butane blending system is a closed system and will not be connecting to the District's utilities. *A copy of this letter is provided in Appendix F.*

Lighting

The proposed operations of the butane blending system installation will require the addition of lighting appurtenances at the facility. By increasing the illumination around the proposed locations, the safety and quality of productivity for both personnel and customers will be enhanced. Lighting and associated electrical connections currently exists throughout the property; therefore these additions will not create the need for any changes in the existing lighting plans or appurtenances.

The proposed lighting appurtenances include the addition of two (2) light duty, round tapered steel poles, specifically Stonco's Round Tapered Steel Poles, for mounting outdoor lighting. These poles will be galvanized, have a nominal mounting height of 25' and will conform to ASTM A595 Grade A.



At this time, the proposed operations also include the addition of the Killark floodlight fixture KF Series, 480 Volt, 400 Watt, as it is a Class 1, Div. 2 rated fixture for hazardous exposure, as defined by the National Electrical Code (NEC). It will be mounted on the pole no more than 30' in height above grade. An adjustable fixture will be installed so that light is cast downwards to the ground.

For homeland security requirements, flood lights are installed and the equipment illuminated so that the security cameras can monitor activity. The butane system flood lights will be on the same circuit as the existing facility lights, a photocell which turns on at dusk and turns off at dawn. *Lighting specifications as part of the Development Plan are provided on Sheet 7 in Appendix I.*

No installation of additional lighting appurtenances in association with the new storage tank construction will be necessary as the proposed tank will be constructed in a location of existing lighting.

Drainage

Due to the total square footage for the proposed operations, drainage is not anticipated to change on the property. Specifically, the proposed butane blending system will only increase the existing pervious area by approximately 1,300 square feet. The new storage tank is planned to be constructed within the existing earthen-diked containment that surrounds the storage tank farm and therefore will not generate an increase in pervious surface area.



Environmental, Personnel, Customers, and Community Safety

Environmental Safety

Various precautions such as employee training and education, equipment safeguards, and operational practices are taken to ensure the safety and protection of the environment. In addition, the terminal is regulated and required to uphold environmental standards under certain laws such as the Code of Federal Regulations, Colorado Air Pollution Prevention and Control Act, the Clean Air Act, the National Environmental Policy Act, and the Clean Water Act.

Air emissions are calculated and tracked for every process and operation held at the terminal. This data is reported to and also retained by the CDPHE's Department of Environmental Quality's (DEQ) Air Pollution Control Division (APQD). Monitoring of the data is beneficial in evaluating if there becomes a need for installation of any emission-reducing equipment. Also, as a result of the proposed butane blending system, gasoline with higher butane content generally has a lower emission profile.

Daily walk-throughs of the property allow for personnel to be proactive in addressing any issues or concerns that may be discovered. This proactivity is an important practice for protecting the environment as it could prevent the release of product to the environment.

As described in previous sections, earthen dikes exist as containment in the event of a worst-case discharge of product around both the storage tanks and rail operations. In the event a discharge of that magnitude occurs, personnel are trained on appropriate emergency response procedures for varying situations. The facility maintains a site-specific Facility Response Plan (FRP) and Emergency Response and Management Manual (ER&MM). *The FRP and ER&MM are included in Appendix E.* Materials such as oil-absorbents, booms, and vacuums are kept on-site in the storage facility for immediate remediation. Containment for trucking operations exists as a fully-contained drainage system.

Sunoco Logistics also maintains a comprehensive butane certification and distribution infrastructure. Key suppliers, compliance and regulatory staff, lab technicians, distribution terminal operators and schedulers work hand-in-hand to ensure prompt delivery of certified butane. Certified butane meets or exceeds stringent EPA quality specifications and is tested prior to delivery using the industry standard American Society for Testing and Materials (ASTM), test methods for butane purity and total sulfur content. Sunoco Logistics continues to remain in front of changing specifications and regulations.

Today's gasoline is engineered to be the cleanest ever because of these specifications and several processes that are used to remove impurities. Sunoco Logistics' commitment to this quality is evident in its ongoing risk management and relationships. Since 1990's Clean Air Act, key team members have worked with the EPA on development of butane blending regulations, on which the blending system was designed. Key members attend annual meetings with the EPA in Washington D.C. and Denver, Colorado and participate in regular correspondence with state regulators to advocate better practices of gasoline blending.



Personnel Safety

Sinclair personnel are required to become Hazardous Waste Operations and Emergency Response (HAZWOPER) certified. This certification trains and educates personnel on the proper handling, labeling, placement, and safety procedures of hazardous waste and how to respond to different emergency situations associated with it. Also, personnel are required to take lessons and tests on a variety of internet-based safety modules throughout the year. In addition, the operation of certain machinery, such as fork lifts, requires Sinclair personnel to be trained and certified appropriately.

In the event of chemical exposure, safety eye wash stations are located on the property. Material Safety Data Sheets (MSDS) are also provided and located in the administrative building as a centralized and common location for access. These documents provide assistance when identifying chemical properties, health and safety risks, and immediate first aid procedures.

As well as the FRP that outlines what to do in an emergency, the facility displays a site-specific emergency evacuation plan for personnel to follow during an emergency situation that includes the safest and quickest evacuation location, and the locations of fire extinguishers, safety eye-wash stations, and first aid kits. If personnel are located within the diked containment area of the storage tanks, emergency evacuation is provided by means of secondary drives around the entire outside perimeter of the dike, as well as in between and throughout the storage tanks for the quickest route of evacuation.

In the event of a fire, the property has been designed according to the National Fire Protection Agency's (NFPA) regulations with a complete fire and foam suppressant system. Fire hydrants are located throughout the property and around every operation conducted on-site.

While simple in overall concept, the butane blending system has been fully engineered and designed to be a safe and secure operation. Systems are fitted with atmospheric/hydrocarbon and oxygen detectors throughout, pneumatic and fail-safe valves, emergency shutdown safeties throughout, audible alarms and vision lights for critical alarms, analyzer and Programmable Logic Controller (PLC) cabinets, sampling and blending skids and other classified system components that all meet or exceed LPG and NFPA codes, and the grounding cable and smart hose, or dry-break connection, at truck unloading to mitigate emissions and release. Additionally, a control center monitors pressure, butane flow, temperature, inventory and customer's product flow data; extensive startup training and manuals are provided, including Risk Management Process (RMP) and Process Safety Management (PSM); and alarm notification by phone, pager or emails that is automated for prompt emergency response to abnormal situations.

Customers (Truck Drivers) Safety

Before a truck driver can enter the facility, they are required to take a Driver Training course developed and held by Sinclair Transportation Company. This course includes hands-on lessons at the facility, a video, and a final test before they are issued the pre-programmed access cards that allow them to enter and exit through the automated gates. The purpose of the course is to educate customers on the use and operation of Sinclair's truck loading and unloading system so that they are



able to conduct operations effectively and safely, ultimately protecting themselves, those on-site, and the neighboring community. The course also provides customers with the facility's emergency procedures and locations of fire extinguishers, eye wash stations, and MSDS.

In addition to education, the fully-automated computer-based system associated with the trucking operations, as well as, mechanical devices on equipment are used as safety precautions for customers. The computer-based system monitors the capacity and rate at which product is being either loaded or unloaded and can indicate and shut off if safety is being jeopardized. Mechanical devices, such as automated valves, are employed in the event that operations are being conducted unsafely.

Also, Sunoco Logistics provides full monitoring and operational oversight from a Houston-based Control Center and regional on-site response from the field. A 24-hour secure control center monitors changes in the system through Human Machine Interfacing, troubleshooting issues where appropriate and dispatching field technicians as necessary. Any anomaly in pressure, volume, etc. will automatically trigger an alarm and, if appropriate, can immediately shut down this closed-pipe system.

Community Safety

As a result of the implementation and dedication to the safety practices and procedures that exist at the facility to protect the facility's personnel and customers, as well as the environment, the safety of the community is subsequently increased. This is achieved through the above-mentioned safety standards and fire protection systems that are currently executed at the facility.

In conjunction with the mandated local, state, and federal regulations to be followed, the facility has developed certain rules that are required to be followed on-site. In order to protect the safety of site personnel, customers, and the community, smoking anywhere on the property is prohibited. "No smoking" placards are placed around the perimeter and throughout the facility. Also, proper procedures for operations are required to be followed including the location, appropriate tools, specific procedures, and personal protective equipment. For instance, welding activities may only be performed under specific conditions and distances away from hazardous areas, and with face shields specific for welding.

Security at the site also plays an important role in protecting the community. Restricted access, video surveillance, and the perimeter's barbed-wire fencing provide for the control of trespassing and tampering of equipment by unqualified persons.

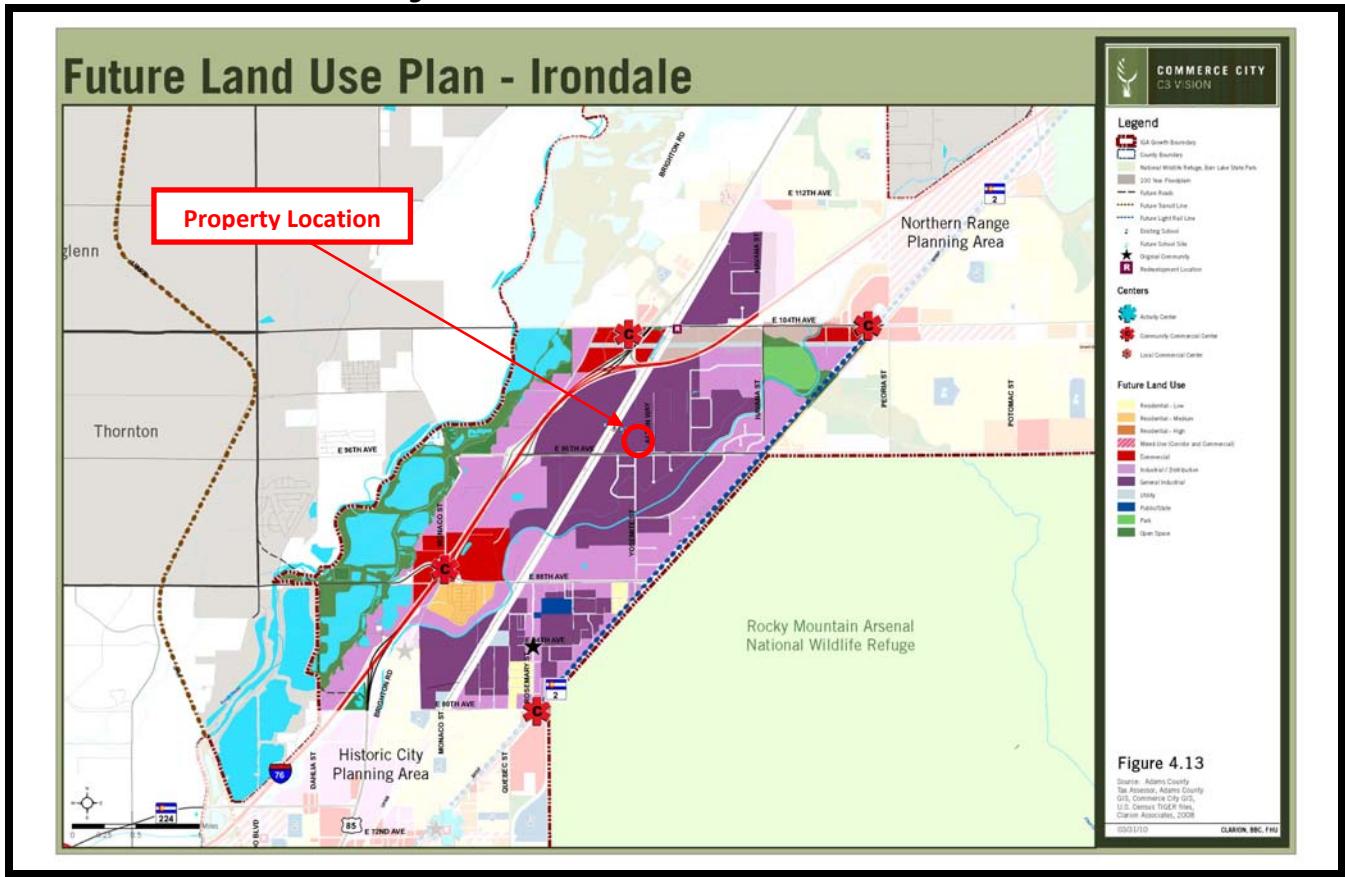
The continual inspecting of the equipment and operations that are performed on-site also ensures the safety of the surrounding community. By being proactive, personnel become aware of and are able to provide immediate attention to any potential hazards that may exist, ultimately decreasing and removing the opportunity to harm the community, the customers, the environment, or themselves.

As mentioned previously, Sunoco Logistics delivers a preventative maintenance plan by providing full monitoring and operational oversight from a Houston-based Control Center and regional on-site response from the field.

Compliance with the Comprehensive Plan

As it remains today, the property is identified with the zoning classification I-3, or Heavy Intensity Industrial District. According to The Future Land Use Plan map for Irondale, as part of Commerce City's Comprehensive Plan, the property is classified as having a future land use of 'General Industrial'. This is consistent with the property's current zoning classification, as well as the future operations proposed for the facility. *The map from Commerce City's Comprehensive Plan is provided in Figure 4.*

Figure 4: Future Land Use Plan – Irondale



Through deliberate collaboration with the community, Commerce City has developed a C3 Vision Plan that affirms the community's dedication to become a more sustainable city. Commerce City's C3 Vision Statement states that "Commerce City will have a robust economy, drawing on its strength as a business-friendly city. It will have a quality natural and built environment with great neighborhoods, parks, and places in which to live, work, and play safely. The community will celebrate its culture and history, and promote conservation and stewardship of resources for present and future generations." As part of the Comprehensive Plan and C3 Vision Plan, the City has developed a focus and specific goals as a commitment to this Plan, which are addressed as the three 'Cs' of Sustainability. These include: Commerce and Economy, Context and Environment, and Community and Social Well-Being. Sinclair has established, is committed to, and continues to grow, as a successful business within



Commerce City, holding of high importance the relationship that exists between the Denver Products Terminal and the City's community.

Preservation of a more sustainable city is demonstrated through the conservation of resources at the facility, especially by implementing the proposed butane blending system. This implementation will allocate the use of existing products to produce a cleaner-burning fuel, as well as reduce the dependence on crude oil.

The facility's operations as a whole supports the growth and development of the entire community by providing the various fuel sources needed for daily activities. In addition to this existing support, the proposed construction of a new storage tank will positively enhance the community's desire of being a robust economy through growth and development. This will be achieved as the new storage tank will enlarge the facility's capacity to store fuel, increasing the availability of fuel and the ability to provide the fuel to the community during high demand.

Protection of the environment is a crucial goal maintained at the facility and held with high importance during its daily operations. This can be observed through existing design of the processes, operations, and procedures held at the facility, compliant inspections and consistent documentation, and awareness and proactivity. The addition of butane to fuel, as part of the proposed butane blending operations, will provide the community with the option for a lower-emission, cleaner-burning fuel. The proposed storage tank will be designed and constructed as an internal floating roof tank which has the lowest potential for fugitive air emissions of all available design types. It will also be designed, coated, sealed, and inspected according to strict regulations.

Butane, a clean-burning alkane, can be blended with gasoline at refined products terminals to create additional gasoline, lower manufacturing and blending costs and bring the gasoline to the appropriate volatility specifications for the winter season. Sinclair's use of Sunoco Logistics' Butane Blending system and comprehensive program ensures product quality, environmental compliance, operational excellence, and supports best practices in Commerce City, Colorado.

Through these efforts and practices that exist, continue to grow, and are demonstrated to improve at the Denver Products Terminal, Sinclair continues to demonstrate their consistency of compatibility with Commerce City's Comprehensive Plan.



Local Economic Impacts / Community Need

The construction of a new storage tank at the facility will allow for a larger available capacity to store product. This is beneficial because it provides for the additional storage of consumer products, and thereby meets customer demand without the constraints of allocating or rationing fuel products. When constraints exist, ultimately the price of fuel increases for the consumer. Therefore, by having the availability for extra fuel storage, the local economy benefits.

The blending of butane provides the potential for more gasoline to become available to the market – for one gallon of butane blended into a quantity of gasoline, one additional domestically-produced gallon of gasoline is created.

Fracking, or hydraulic fracturing, is the process of extracting shale gas or crude oil using pressurized liquids to break rock layers deep beneath the ground surface. This method of hydrocarbon extraction is highly debated at present. While butane blending has the ability to expand with the natural gas industry, it is not dependent on fracking operations. Butane is a result of the refining of crude oil into gasoline and diesel. The concept of fracking has become a highly controversial topic, with numerous variables and unknowns that are debated about every day. Butane on the other hand, is not produced through fracking. It is created as a result of the refining of crude oil into gasoline and diesel. By utilizing this already existing by-product and the technology to blend it with gasoline, fracking is not relied upon. Instead, the process allows for oil and gas companies to become more conservative with the land's natural resources as well as create additional gasoline without having to use additional resource consumption.

Butane is a lighter hydrocarbon molecule and burns cleaner than heavier, higher-emitting hydrocarbon components. That typically means gasoline with higher butane content has a lower emission profile, thus aiding in the reduction of environmental pollution to protect the community around.



City and Surrounding Area: Effects, Harmony, and Compatibility

Effects on Public Improvements and City Services

Fuel is a necessity in almost every aspect of today's world, with that necessity constantly growing as population increases and development expands. Having the ability to expand the operations at the Denver Products Terminal will help to provide for this growing need as the community continues to prosper.

As part of this growth, a concern for traffic flow and change in traffic patterns arises. With the addition of the butane blending system, the existing concrete at the facility will be enlarged to accommodate the off-load location. This is anticipated to improve the traffic flow that exists on East 96th Avenue as it will create a larger area for trucks that enter the property to be staged.

Adjacent / Adjoining Properties

The proposed operations for the facility will not affect the adjacent or adjoining properties negatively. Traffic entering the property will not create a noticeable difference from existing traffic, or affect the operations of the surrounding properties. With the addition of on-site truck stacking, the proposed operations will provide the opportunity for a decrease in traffic jams along East 96th Avenue, ultimately increasing the current traffic flow and accessibility to surrounding properties.

With the location of the facility being situated in an area with other similar industrial businesses and activities, the areas of other characteristics, such as residential or commercial, are not impeded.

Landscaping, Screening, and Property Upkeep

The employees at the Denver Products Terminal not only maintain the equipment and materials associated with the terminal's operations, they recognize the importance of property upkeep and therefore continually participate in efforts to maintain and improve it.

Landscaping at the Denver Products Terminal exists and can be immediately noticed upon approach of the property. Grass and varying types of shrubs and trees line the southern perimeter of the property adjacent to East 96th Avenue, as well as, around the terminal's administrative building. Trees and shrubs were planted in several groups and mulched for a more aesthetic view of the property. The trees and shrubs vary in species type, are matured, and average an approximate 59,000 square foot surface area. The landscaped areas are constantly maintained; any debris or litter that may have blown onto the property is removed, fallen branches are removed and discarded, and the landscaping is irrigated and fertilized frequently during the spring, summer, and fall months.

Facility landscaping will be expanded with the inclusion of the proposed butane blending operations. The proposed landscaping will encompass approximately 4,900 square feet of the property and will include various species of evergreen trees including Austrain Pines and Colorado Blue Spruces; various species of deciduous trees including Staghorn Sumacs and Cutleaf Maples; species of low-growing evergreen shrubs such as Junipers; grass sod; and rock-mulch. This expansion will occur on the



south-eastern side of the property, along East 96th Avenue. A water line connecting to the existing irrigation system will also be extended to this area.

A portion of the existing chain link fence that currently surrounds the facility's operations to the southeast will be moved south to the property line that parallels East 96th Avenue, surrounding the proposed landscaping expansion and maintaining security of the property. This fence will be off-set, or have a variance of, twenty (20) feet from the property line, as required by Article VII, Section 21-7732 – Fence and wall Requirements by Land Use. *A photograph of the facility's existing landscape is provided in Figure 5.*

Figure 5: Existing Landscape



In addition to the maintenance of the landscaped areas, the grounds are kept clean of debris and trash. Good housekeeping of equipment and materials is held with high importance at the facility as it not only is visually appealing for the neighboring community, it aids in the safety of personnel and customers during daily operations.

Nuisances – Noise, Vibrations, Dust, Odor

Since the origination of the Denver Products Terminal to present-day, nuisances such as excessive noise, vibrations, dust generation, or displeasing odor have not been identified with the facility. The proposed operations for the facility will also not create any such nuisances, as they are consistent with existing operations.

Minimal noise is generated on the property, as is typical of many industrial businesses. The majority of noise created is attributed to the general driving operations of transport trucks.



All operations that exist at the facility are done through closed systems, eliminating the potential for odor nuisances. The addition of the proposed butane blending project will contain odorless butane and therefore will not increase the likelihood of odor nuisances.

The facility's operations do not incorporate heavy machinery that would cause excessive vibrations. Due to the lack of vibrations generated, they are not considered to be nuisances associated with the property.

Due to the constant vehicular travel being a crucial component in the facility's operations, the awareness and protection of dust generation and migration outside of the property lines is continually monitored. The locations of constant vehicular traffic on the property are considered primary access and drives, and consist of both asphalt and concrete paved surfaces. The other locations on the property that allow for vehicular travel are only utilized periodically and typically for maintenance and inspection as-needed. These are considered secondary drives and are composed of recycled asphalt protected with a layer of crushed rock.



Conclusion

As a result of the annexation to the City of Commerce City in 2007, the Denver Products Terminal has been operating as a “legal and non-conforming use”. Sinclair believes that the information provided in this Conditional Use Permit submittal will adequately demonstrate the benefits, harmony, and compliance with the City’s Comprehensive Plan, for both the current and proposed operations offered at the facility.