



**PUBLIC SERVICE COMMISSION  
Reclamation Division**

\*\*\*\*\*

**Memorandum**

**TO:** Commissioners Wefald, Cramer, and Clark  
Illona A. Jeffcoat-Sacco, Executive Director  
Bill Binek

**FROM:**  Stephan A. Schroeder and  Jim Deutsch

**DATE:** April 2, 2008

**SUBJECT:** Application for Renewal No. 2 to Permit No. ACPG-9701 held by the American Colloid Company, Case No. RC-08-74

On February 13, 2008, American Colloid Company filed the application for Renewal No. 2 to Permit No. ACPG-9701 to continue mining and reclamation operations within the existing permit area another five years, until April 22, 2013. Permit No. ACPG-9701 covers 507.44 acres in all or portions of Sections 2, 3, and 12, T130N, R99W, all in Bowman County. The Reclamation Division has completed its review of this permit renewal and respectfully recommends that it be approved.

American Colloid Company applied for this renewal to continue coal removal and reclamation operations in Permit ACPG-9701. Coal recovery from this permit area is expected to continue beyond 2010. Updates to the permit for the next five-year permit term will be approved in Revision No. 6 just prior to the approval of this renewal.

American Colloid Company submitted affidavits of publication of the newspaper notice. The notice was published February 8, 15, 22, and 29, 2008 in the Bowman County Pioneer. We also notified the appropriate agencies, affected landowners and the advisory committee members. We received no objections to this renewal application. Evidence of liability insurance is currently on file. However, as calculated by the new worst case reclamation cost estimate in the revision, the total surety bond amount for the permit area has been increased to \$1,092,445.

Attached for your consideration at the April 9<sup>th</sup> meeting are the proposed motion and renewal award form.

Attachments