

PUBLIC SERVICE COMMISSION
Reclamation Division

Memorandum

TO: Commissioners Fedorchak, Christmann, and Kroshus
Steve Kahl, Executive Director
John Schuh, General Counsel

FROM: Guy Welch, Zanna Brinkman, & Dean Moos

DATE: June 9, 2021

SUBJECT: Withdrawal of the South Heart Mine Application for Permit SHSH-1001, Case No. RC-10-77

Great Northern Properties, L.P. formally withdrew the application for Surface Coal Mining Permit SHSH-1001 by a letter dated May 13, 2021. Great Northern Properties, L.P. is the parent company of South Heart Coal, LLC, the permit applicant.

South Heart Coal, LLC submitted the application for Permit SHSH-1001 on March 29, 2010. The proposed permit area was 4581 acres in size and was located southwest of South Heart, ND. The mine was intended to supply coal to a power plant that was planned to be constructed south of the permit area.

The permit application was deemed complete on January 10, 2011. Once deemed complete, South Heart Coal published the required public notice and we issued the Notice of Receipt of the Permit Application. We received thousands of letters, postcards, and emails in opposition to the permit and numerous requests for an informal conference. The informal conference was held on June 28 and 29, 2011. Primary concerns expressed in the comments received on the application and at the informal conference were the proximity of the proposed mine to the South Unit of Theodore Roosevelt National Park, Alluvial Valley Floors, radioactive materials in the coal and overburden, surface and groundwater impacts, and socio-economic impacts. Staff conducted two technical reviews of the permit application with the last technical review letter being sent to South Heart Coal on July 9, 2012. South Heart Coal has not responded to that letter, therefore the last activity on the permit application was in 2012. The informal conference would have needed to be reconvened once all the technical concerns were addressed and prior to permit approval.

Attached is a motion for the June 9th Commission meeting to acknowledge Great Northern Properties withdrawal of the application for Permit SHSH-1001 and close Case No. RC-10-77.

Attachment

South Heart Mine\Permits\1001\Admin Correspondence\2021\Permit_Application_Withdrawl_memo_6-9-21