

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Leonardite Products, LLC
Revision No. 3, Permit GRGR-0501
Approval

Case No. RC-10-419

REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS

October 20, 2010

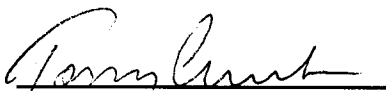
Based on the application for Revision Number 3 to Permit Number GRGR-0501 received July 6, 2010, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on July 6, 2010, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code;
2. The Commission finds that variances from the 180-day backfilling and grading rule [NDAC 69-05.2-21-01(2)] and the 3-year contemporaneous reclamation requirement [NDCC 38-14.1-24(14)] are justified; and
3. The Commission's other findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

Revision Number 3 to Permit Number GRGR-0501 is hereby granted to Leonardite Products, LLC to identify the areas that will be mined during the next five-year permit term, to update legal information and reclamation plans, including a reclamation schedule with variances from the 180-day backfilling and grading rule and 3-year contemporaneous reclamation requirement as described in the permit revision application received July 6, 2010.

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner