

SCANNED

Date 12.13.10

THE COTEAU

CT-12-10-10-rsp-pre-renewal-rvw (32337) FREEDOM MINE

PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

204 County Road 15
Beulah, North Dakota 58528-9475
(701) 873-8281 • Fax (701) 873-7226
DEC 13 2010
32337
NORTH DAKOTA
PUBLIC SERVICE COMMISSION

December 10, 2010

Mr. James R. Deutsch
 Director Reclamation Division
 Public Service Commission
 600 East Boulevard Avenue
 Department 408
 Bismarck, ND 58505-0480

FROM DIRECTOR - RECLAMATION Div.

Date: 12-14-10

Action: Bruce

Info. Only: _____

Info & File: _____

Dear Mr. Deutsch:

Enclosed are three sets of materials for Revision 24 to Permit NACT-9001. This revision updates introductory information, business entity/compliance information, identification of interests and rights of entry, operation plan – general, operations – surface water management, post-mining land use and revegetation, and post-mining wetlands for renewal #4 of this permit. Also enclosed are the original application and renewal forms, and a proposed newspaper publication.

Responses below refer to deficiencies in your October 26, 2010 letter:

1. See revised Section 1.3.1.
2. See revised Section 1.3.2.
3. See revised Section 1.3.3.
4. See revised Section 1.3.4.
5. See revised pages 1, 47-48, 93-94A, 486, 491, 569, 575, and 581, and new pages 94B-94D of Section 1.5.1, revised pages 1-43 and new pages 44-45 of Section 1.5.2, and the revised Surface and Coal Ownership Map of Section 1.5.3.
6. See revised page 1 of Section 3.1.4.
7. The Extended Mining Plan Map of Section 3.1.6 was revised to include completed mining through 2009, as 2010 mining is not complete.
8. See the new paragraph on pages 1 of Sections 3.6.8, 3.6.9, and 3.6.10.
9. See revised page 2 of Section 4.1.1, revised page 1 of Section 4.1.3, and the revised Post Mining Land Use Map (Sheet 1 of 2) of Section 4.1.2.
10. See the revised Post Mining Land Use Map (Sheet 2 of 2) of Section 4.1.2.
11. See the revised Post Mining Land Use Map (Sheet 2 of 2) of Section 4.1.2.
12. These maps were not revised, as the changes to the topography were insignificant. The topography was within a few inches, which did not significantly change the four foot contour intervals.
13. This section was not revised, as the topography only changed by a few inches, resulting in no change to the area slope.

1 RC-10-651 Filed: 12/13/2010 Pages: 3
 Renewal Application filed to extend the permit term
 for five years



Coteau Properties Company

Joe Friedlander


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14. See revised pages 5-6 of Section 5.2.1.
15. See revised Section 5.2.5.
16. This section will be updated at a later date. Coteau plans to complete a survey of the entire area when the weather allows, to obtain the information requested.
17. No response necessary.

If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY



Joseph D. Friedlander
Environmental Manager

JDF:lr
Enc.

cc: Monte Erhardt, Mercer County Auditor (w/enc.)



APPLICATION FOR RENEWAL OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS
PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
 SFN 10566 (Rev. 12-99)

12.13.10
 File Permit-app (32337)

Name of Permittee The Coteau Properties Company		Date December 10 2010	
Address 204 County Road 15		City Beulah	Permit Number NACT-9001
		State ND	Zip Code 58523

The above named hereby makes application for Renewal Number 4 of the above Permit Number in order to continue to engage in surface coal mining and reclamation operations within the area described below in the permit during the period from April 16, 2011 to April 15, 2015.

The reasons for requesting the renewal is attached and any changes to the matters set forth in the approved Permit are particularly described in the accompanying revision application.

The applicable public notice provisions of Section 38-14.1-18 of the North Dakota Century Code have been complied with. A copy of the advertisement is attached and affidavits of publications will be furnished to the Commission prior to issuance of the Permit Renewal.

Bond for surface coal mining and reclamation operations and liability insurance will be provided for the proposed period of renewal. Attached is a statement evidencing that the bond is sufficient and will continue in full force for the renewal period and that liability insurance will be provided for the renewal period.

LOCATION				ACRES
SECTION	TOWNSHIP	RANGE	COUNTY	
1, 2, 3, 11	145N	88W	Mercer	1546.779
5, 6, 9, 10	145N	87W	Mercer	1271.872
TOTAL ACRES				2818.651

Signature of Official <i>William R. Kihl</i>	Title Staff Mining Engineer
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VERIFICATION

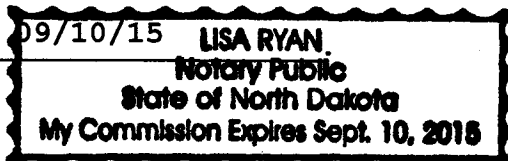
Name of Official Joseph D. Friedlander
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I, the above named, being first and duly sworn, verify that the information contained in the Permit Renewal Application is true and correct to the best of my knowledge and belief.

Signature of Official <i>Joseph D. Friedlander</i>	Title Environmental Manager
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Subscribed and sworn to before me this 10th day of December, 20 10. My commission expires: 09/10/15

(SEAL)



Lisa Ryan
 Notary Public