



December 22, 2010

AMERICAN COLLOID COMPANY

Public Service Commission
Attn: Mr. Deutsch
State Capitol
Bismarck, ND 58505

PERMITTING & RECLAMATION DEPARTMENT
P.O. Box 2010 • Belle Fourche, South Dakota 57717
(605) 892-6950 • FAX (605) 892-6979

FROM DIRECTOR - RECLAMATION

Date: 12-27-10

Action: Bruce

Info. Only: _____

Info & File: _____

RE: Permit ACPG-9701
(Application for Revision #7 & Midterm Review)

Dear Mr. Deutsch:

Enclosed are three identical CD's that contain American Colloid Company's Application For Revision #7 to Permit ACPG-9701. The application is being submitted to amend 149.28 acres to our existing Permit to Engage in Surface Coal Mining and Reclamation Operations and to address items noted in Reclamation Divisions midterm review. The amendment area is located in the SE1/4 of Section 35, Township 131 North, Range 99 West. The amendment area will be referred to as the Tompkins Mine Area. Also enclosed you will find following information:

- 1) Application for Revision of Permit to Engage in Surface Coal Mining and Reclamation Operations.
- 2) Check in the amount of One Thousand Nine Hundred Ninety Two Dollars and Eighty Cents (\$1,992.80 Check #000811613) to cover the application fees.
- 3) Introduction of Seventh Revision to Permit ACPG-9701.
- 4) Meets and Bounds Description of the permit amendment area.
- 5) The proposed public notice.

If you have any questions, please feel free to call me at (605) 892-6950.

Sincerely,
AMERICAN COLLOID COMPANY

Rodney A. Raber
Environmental Coordinator

Encl.

cc: Roger Gross - ACC - Belle Fourche, SD - w/o encl.
Lyndon Bucher - ACC - Belle Fourche, SD - w/o encl.



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

PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
SFN 10562 (1-2004)

12.27.10
Rev7-app (33356)

Date	12/1/2010
Revision Number	7
State	SD
Zip Code	57717

Name of Company, Corporation, Partnership, or Individual American Colloid Company	Permit Number ACPG-9701	Revision Number 7
Address P.O. Box 2010	City Belle Fourche	State SD
		Zip Code 57717

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised.

To amend an additional 149.28 acres to the existing mining permit and update the exiting mine and reclamation plans.

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Tompkins Mine Area	149.28	35	131N	99W	Bowman
ADDRESS					
TOTAL ACRES					

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ 1,992.80, is included with the revision application.

Name of Official Authorized to Represent the Applicant Rodney Raber
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I, the above named, certify that:

1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
2. Information and documentation contained in the permit application affirmatively demonstrate that:
 - a. The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
 - b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;

Introduction of Seventh Revision to
Permit To Engage In Surface Coal Mining and Reclamation Operations
ACPG-9701

American Colloid Company is submitting the attached Application For Revision Of Permit To Engage In Surface Coal Mining and Reclamation Operations to our existing Permit #ACPG-9701.

The Application For Revision is being submitted in order to amend 149.28 acres to the existing permit. The amendment will allow continued mining and reclamation operations in order to continue supply Leonardite to our processing facility located near Gascoyne, ND.

Legal Description of Tompkins Mine Area

Portions of South East Quarter of Section 35, Township 131 N. Range 99 W. located west of the county road and north of Highway 12 as described in the following Metes and Bounds.

Metes and Bounds Description Portions of the South East Quarter of Section 35, Township 131N., Range 99 W., Bowman County, North Dakota

Beginning at the East Quarter Corner Marker of Section 35, which is common Quarter Corner marker between Section 35 and Section 36 at a found ½ inch rebar located in the center of the county road 127th Ave SW that runs north and south. This marker being located ½ mile north of the intersection of the county road 127th Ave SW and Highway 12: Thence N 88°07'32" W a distance of 33.00' to a point located on the west side of county road 127th Ave SW, said point being the said point of beginning. Thence N 88°07'32" W a distance of 2609.69' to a marker labeled S35 1/4; thence S 01°48'52" W a distance of 2494.70' to a found ½" rebar, which is indicated as being the North Right of Way Marker for Highway 12.; thence, S 88°11'35" E a distance of 2606.56' following the North Right of Way Markers for Highway 12 to a point located on the west side of county road 127th Ave SW; thence N 01°53'11" E a distance of 2491.64' along the west side of county road 127th Ave SW to the point of beginning, having an area of **149.28 acres**