



PERMITTING & RECLAMATION DEPARTMENT
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April 29, 2013

Mr. James R. Deutsch, Director
Reclamation Division
North Dakota Public Service Commission
600 E. Boulevard Ave.
Bismarck, ND 58505

**RE: Response to Revision 7 Completeness Review Deficiency Comments (dated 4/22/2013)
for ND Permit ACPG-9701 and addition of approved Revision 8 document updates.**

Dear Jim:

American Colloid Company (ACC) has prepared this response (Round 4) to the Reclamation Division's April 22, 2013 completeness deficiency comments for the Surface Coal Mining Permit ACPG-9701 Revision 7 application. Revision No. 7 to Permit ACPG-9701 proposes to add 149.28 acres to the permit in the form of the Tompkins Mine Area.

Revision 8 to this permit was approved April 10, 2013; per confirmation with you on April 22, 2013 those updates have been fully incorporated into Revision 7 in this deficiency comment response as text replacement (not shown in color or otherwise identified). *Revision 7 supersedes Revision 8 and when approved will provide the comprehensive updated permit document.*

The Division requested the following items be addressed prior to the application being deemed complete and initiation of newspaper notice publication as required by NDCC 38-14.1-18. Please review the revised document for completeness.

Section 1.1 – Introductory Information

1. Follow-up to item No. 2: Please correct the date on the application form, Section 1.1.1(g), which currently reads 3/180/2013. (ZAT)

Modified as requested. Revised original form is included with this submittal.

Section 1.2.4(d) – Newspaper Notice

2. Follow up to item No. 4: An updated newspaper notice, 1-2-4d, has been added to the pdf files in Section 1-2; however the electronic permit and the detailed Table of Contents remain linked to the previous document that does not include the requested changes. Please repair this link so the most current newspaper notice and map can be accessed in the electronic permit or through the detailed TOC. (ZAT/BEB/GAW/WTG/FES)

Modified as requested. The map is attached to the text.

3. Additional follow-up to item No. 4: Please make the following changes to the newspaper notice map, 1-2-4d: Please add BNSF to the railroad label; please change State Highway 12 to US Highway 12; and change the color of the US Highway 12 symbol to black for better visibility on the published map. (ZAT/BEB/GAW/WTG/RLK/FES)


Modified as requested. The map is attached to the text.

*Additional modifications:

*Approved Revision 8 information for the Page and Perkins mine areas has also been added to Revision 7. Revision 8 information is not highlighted in this document.

If you have any questions, please contact me at 605-892-7178 or melody.smith@colloid.com.

Sincerely,



Melody Smith
Environmental Specialist
American Colloid Company

Encl (1 cd)