



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

May 14, 2013

Ms. Melody Smith
Environmental Specialist
American Colloid Company
P.O. Box 2010
Belle Fourche, SD 57717

Dear Ms. Smith:

The Reclamation Division has reviewed the April 29, 2013 completeness responses submitted by American Colloid Company for the application for Revision No. 7 to Surface Coal Mining Permit ACPG-9701 that proposes to add the Tompkins Mining Area to the permit. The following item must be corrected before the revision application will be deemed complete and publication of the newspaper notice can begin as required by NDCC 38-14.1-18:

General

1. The "Detailed Table of Contents" does not open from the main page of the electronic permit (ACPG-9701 Electronic Permit Master TOC). Also, most of the links in Section 4.0 – Reclamation, do not work and none of the links in Section 3.0 – Operations Plans work using this path; however, they do work if one opens the Detailed_Rev_7_TOC from the main page instead of from the Electronic Permit. We cannot deem the application complete until these hyperlink/format issues are resolved. Once we deem the application complete we will mail copies of the electronic permit (CD's) to all of our advisory review agencies for their review and comment and we cannot expect those reviewing agencies to attempt their review until the formatting issues are resolved. Additionally, after deeming the application complete, members of the public are allowed to review the permit application. Please review and resolve the electronic permit formatting issues so that all sections of the permit are accessible through all provided electronic pathways. (ZAT/BEB)

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Deutsch".

James R. Deutsch
Director
Reclamation Division