

MAY 28 2013

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

May 23, 2013

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

**RE: Response to Revision 7 Completeness Review Deficiency Comments (dated May 14, 2013) for ND Permit ACPG-9701 (includes Revision 8 document updates).**

Dear Jim:

American Colloid Company (ACC) has prepared this response (Round 5) to the Reclamation Division's May 14, 2013 completeness deficiency comments for the Surface Coal Mining Permit ACPG-9701 Revision 7 application. Revision No. 7 proposes to add 149.28 acres to the permit in the form of the Tompkins Mine Area.

Revision 7 supersedes the approved Revision 8.

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.

#### **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)

Ms. Melody Smith  
May 23, 2013  
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*The links for some files did not re-path when the files were copied from our server onto the CD. Various pathways have been checked and corrected. It appears the browser used to read the files may have an effect.*

Please contact me at (605) 892-7178 or [melody.smith@colloid.com](mailto:melody.smith@colloid.com) if you have any additional questions or needs.

Sincerely,

A handwritten signature in cursive script that reads "Melody Smith".

Permitting Specialist  
American Colloid Company