



Public Service Commission

State of North Dakota

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March 8, 2012

Mr. Donn Steffen
Environmental Manager
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523

Dear Mr. Steffen:

The Reclamation Division has conducted a completeness review of the applications for Renewal No. 4 and Revision No. 30 to Surface Coal Mining Permit NACT-9101 at the Freedom Mine. The following items must be adequately addressed before these applications can be deemed complete.

Newspaper Notice

1. Please revise the notice title to read "NOTICE OF FILING OF AN APPLICATION FOR RENEWAL OF PERMIT TO CONDUCT SURFACE COAL MINING AND RECLAMATION OPERATIONS, AND NOTICE OF FILING OF A REVISION TO AN APPROVED SURFACE COAL MINING PERMIT" to indicate that both revision and renewal applications have been filed. (BEB)
2. The first paragraph of the notice lists Sections 20 and 22, T145N, R86W as being within the permit; however, the previously permitted areas within both of those sections have been bond-released. Please eliminate reference to Sections 20 and 22 in the public notice. (BEB)
3. Please amend the revision updates in the second paragraph to specifically state that the revision application identifies the coal removal subareas that will be mined during the next 5-year permit term. (BEB)
4. There is a sentence structure error in the third sentence of the second paragraph that should be corrected prior to publishing. The current wording states that "...to Permit

Mr. Donn Steffen

March 8, 2012

Page 2 of 2

NACT-9101 Sections 11 and 12...” and could be changed to “...to Permit NACT-9101 **in** Sections 11 and 12...” Please correct this small typographical error. (BEB)

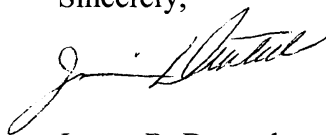
5. There appears to be a discrepancy between the coal owners of record for Tract 32 in the notice compared to the listing provided in the Surface and Subsurface Ownership Map, Section 1.5.3. The public notice indicates that the Estate of Virgil Gunsch, along with DeAnn Riegel and Bradley Gunsch are coal owners, but the map does not indicate that the *Estate of Virgil Gunsch* is a coal owner. If a correction is required for the notice, please make the change. (BEB)

Renewal Summary Page

6. Please revise the renewal summary attachment to specifically state that Revision No. 30 identifies the coal removal subareas that will be mined during the next 5-year permit term. (BEB)

If you have any questions, please contact this office.

Sincerely,



James R. Deutsch
Director
Reclamation Division