



# Public Service Commission

## State of North Dakota

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April 26, 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 technical review of the applications for Revision No. 30 and Renewal No. 4 to Surface Coal Mining Permit NACT-9101, which were submitted in response to our pre-renewal review letter dated January 3, 2012. The following items must be satisfactorily addressed or corrected no later than May 29 to ensure approval on June 20, 2012:

### **Section 3.0 – Operation Plans**

1. The pits in Sections 12, 18, and 13 on Exhibit 3.1.6 are depicted as being scheduled for mining in 2012-2013, 2012-2014, and 2014-2020, respectively. Since this revision is also a renewal for the next 5-year permit term, the pits need to be broken down or divided into subareas to show mining for each year. Please address accordingly. (MDB)
2. Due to changes to the proposed mining sequence, the post-mining topography has been adjusted. The most notable adjustment is located near the north end of the re-disturbance boundary in the SW1/4 of Section 12. It now appears that there will be a ridge in an area where one did not exist on the previously approved postmine topography. Please adjust the postmine topography and associated maps to eliminate this ridge by removing it or widening it to create a hilltop which can be reasonably farmed. (MDB)

### **Section 4.0 – Reclamation Plans**

3. Follow-up to original pre-renewal review item #12: On page 8 of Section 4.2.1a regarding the discussion on the reconstruction of sediment pond P-D16-02 into wetland

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CW-16-02, it appears that the reference to Policy Memorandum 16 should refer to Policy Memorandum 19. Please review and update as necessary. (RLK)

4. On page 1 of Section 4.2.8, Area Slope Comparison Table (table for the West and Middle leg), the Area Slope Range for the 3-6% range column is mislabeled by listing the pre-mining area slope acreage. Please review and update as necessary. (RLK)

If you have any questions, please contact this office.

Sincerely,



James R. Deutsch  
Director  
Reclamation Division