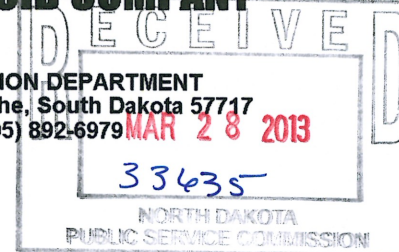




AMERICAN COLLOID COMPANY

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



March 26, 2013

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

RE: Round 2 Technical Review Comment Response for Revision 8/Renewal 3 of American Colloid Company's Leonardite Permit ACPG-9701 near Gascoyne, ND.

Dear Mr. Deutsch:

Please find enclosed three CDs providing electronic files of our response to the Public Service Commission's Round 2 Technical Review comments for Permit ACPG-9701 Revision 8/Renewal 3. The PSC comments are dated 3/25/2013 and the comments and a summary of our responses are included below.

Completeness modifications are identified in the document in red text, Round 1 Technical Review comment response as yellow highlight, and Round 2 Technical Review comment response as blue highlight. A pencil icon is used to identify html links that include modified text to avoid the problems with highlight not showing up on printed sheets.

Revision 7 of this permit (Tompkins Amendment) is in progress and is not considered in Revision 8 per the Commission's directive. In certain areas where Revision 7 placeholders were required to prevent gaps in file nomenclature the revision is identified as "Pending".

The Division requested the following items be addressed prior to the application being deemed technically complete. This list provides follow-up to Round 1 technical deficiencies noted during the review.

1. We apologize for the typographical error in deficiency #3 of our previous letter. Please change the names for Tract D ownership on the Mineral Map 1.5.3(b) and in Section 15.2(b) to Craig H. and Karmen K. Eslinger. (ZAT)

The name has been changed as requested.

2. Follow-up to technical deficiency No. 8: Please review and correct as necessary the following items in Section 4.2.2(b) Reclamation Schedule to be consistent with information presented in Section 4.1.7(a)(1). (ZAT)
 - a. Revise the stripping date for Pit A-6 to read 4/2011 (Currently 41/2011).

Ms. Melody Smith
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- b. Please add a diamond symbol and the symbols for 180 day and 3 year variances to Pit A-5.
- c. Add the diamond, the 180 day variance and the 3 year variance symbols to Pits B-4 and B-5.

Completed as requested.

- 3. Follow-up to technical deficiencies No. 7, 8, 11, and 13: Deficiencies 7, 8, 11, and 13 requested changes to the text in Section 4.1.5(b) and these items were not completely addressed. Your responses to these items in the letter were detailed and appropriate, but most of the revised narrative in the permit is not present. It appears some of your revisions may not have been saved. Please use the dates from the Reclamation Schedule Section 4.2.2(b) to update the leonardite removal, backfilling and SPGM respread narrative for all pits in Section 4.1.5(b). As indicated in your responses, replace the projected seeding dates in the narrative with the phrase, "Seeding is scheduled for the first normal period for favorable planting conditions after SPGM has been respread." Please retain the references and links to the Reclamation Schedule Section 4.2.2(b) that are currently in this section to direct the reader to the proposed dates. (ZAT)

The PDF previously submitted for Section 4.1.5(b) was not updated to reflect the revised Word file. I apologize for the additional work this created. The updated PDF has been provided.

- 4. Follow up to deficiency 10: Please review the *North Sequence (C)* paragraph on page 4 of Section 4.1.5(b) and change the first sentence to read, "Reclamation of the north sequence...." (ZAT)

The PDF previously submitted for Section 4.1.5(b) was not updated to reflect the revised Word file. I apologize for the additional work this created. The updated PDF has been provided.

We look forward to your review and comment. If you have any questions, please feel free to contact me at (605) 892-7178 or melody.smith@colloid.com.

Sincerely,



Permitting Specialist
American Colloid Company