

**PUBLIC SERVICE COMMISSION
Reclamation Division**

MEMORANDUM

TO: Commissioners Kalk, Christmann and Fedorchak
Darrell Nitschke, Executive Secretary
Illona Jeffcoat Sacco

FROM: BB DKM JJD
Bruce Beechie, Dean Moos and Jim Deutsch

DATE: April 3, 2013

SUBJECT: Application for Revision No. 8 to Permit ACPG-9701, Case No. RC-13-17

On January 2, 2013, American Colloid Company (ACC) submitted the application for Revision No. 8 to Surface Coal Mining Permit ACPG-9701 for its Page and Perkins Mine areas between Reeder and Gascoyne. ACC also filed the application for Renewal No. 3 for this permit at the same time. This revision identifies the next five-year coal removal subarea and addresses several items that were noted during the Reclamation Division's pre-renewal review of the permit. The revision updates the legal, financial and ownership information, ground water monitoring plans, adjacent surface and mineral ownership information, and mining and reclamation plans. Coal (leonardite) removal is expected to continue in this permit area for several years. The Reclamation Division has finished its review of this revision and respectfully recommends that it be approved.

Surety Bond K0700784A issued by Westchester Fire Insurance Company currently covers the bond area that includes Permit ACPG-9701. The bond currently totals \$1,092,445 and is adequate at this time.

Revision No. 8 was deemed a significant revision to Permit No. ACPG-9701 and was subject to the public notice requirements. American Colloid Company has submitted affidavits of publication of the newspaper notice from the Bowman County Pioneer and Dickinson Press indicating that the notice was published once a week for four consecutive weeks in January and early February. We also notified the appropriate agencies, affected landowners, and advisory committee members. No objections to this revision application were received.

Attached for your consideration is a motion for the April 10th meeting to approve the revision. Also attached are the revision approval form and the newspaper notice we must publish.

Attachments

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