

**PUBLIC SERVICE COMMISSION  
Reclamation Division**

**Memorandum**

To: Commissioners Fedorchak, Christmann, and Kalk  
Darrell Nitschke, Executive Secretary  
Illona Jeffcoat-Sacco and John Schuh

From: Jim *JD* Deutsch, Dean *DKM* Moos, and Bill *BG* Gunnerson

Date: March 17, 2016

Subject: Application for Revision No. 28 to Permit NACT-9001 held by the Coteau Properties Company for the Freedom Mine - Case No. RC-15-735

---

On November 16, 2015 the Coteau Properties Company filed the application for Revision No. 28 to Permit NACT-9001 to update plans in the permit for the next five-year permit term and to delete 119.753 acres that were added to another permit. The Reclamation Division has completed its review of this revision application and respectfully recommends its approval.

Revision No. 28 updates the permit's legal information, business entity/compliance information, identification of interests and rights of entry, operation plans, surface water management plans, and reclamation plans for the next five-year permit term. All coal removal from this was completed many years ago but a haul road is still being used. The revision also deletes 119.753 acres from the permit in Section 11, T145N, R88W, following the addition of that acreage to adjacent Permit NACT-0201 with the Commission's October 21, 2015 approval of Revision No. 18. Please refer to Figure 1 for the NACT-9001 permit boundaries and the permit acreage to be deleted with Revision No. 28.

Revision No. 28 was considered a significant alteration to the mining and reclamation plans and was therefore subject to the notice, hearing, and procedural requirements. Coteau submitted the affidavits of publication for the permit revision and renewal application newspaper notice. We received no objections to this revision application in response to notification of the appropriate agencies, affected landowners, and advisory committee members. Permit NACT-9001 and all other permits for the Freedom Mine are currently covered by collateral and self bonds that total \$146,000,000.

Attached for your consideration at the March 23 Commission meeting are the proposed motion, the revision approval form, and the revision approval notice that will be published in the appropriate newspapers.

Miinedata/Freedom/Permits/NACT-9001/Revisions/No.28/Rev28\_memo\_3-17-16

10 **RC-15-735** Filed: 3/17/2016 Pages: 2  
**Memorandum**

Public Service Commission Staff

Jim Deutsch, Dean Moos, Bill Gunnerson

